

Report

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To: King County DDES
From: Noel Frederick
Date: October 22, 2010
Subject: Pacific Raceways Noise Study

Introduction

King County Department of Development and Environmental Services (DDES) requested noise level measurements at various locations around the Pacific Raceways facility. The goal of the measurements was to capture the noise levels from the Pacific Raceways facility at the specified measurement locations. Specifically, the noise level for Mondays and Tuesdays which have been designated quiet days (no racing) in Pacific Raceways conditional use permit. This memo documents the measurement process, results and our findings.

Summary

The noise level was measured at four locations around the Pacific Raceways facility (see Figure 1 below) from September 25 – October 12, 2010. During that period, an acoustician was on site at various times and durations to observe the noise levels and the various sources present around the site.

Our observations indicated the ambient noise level at the four measurement locations is predominately due to traffic noise from the adjacent streets and highways. Other noise sources observed were typical of urban areas, waste management trucks, lawn maintenance equipment, etc.

We did observe noise from a racing event at measurement location 3 on Saturday September 25, 2010 (race day). Measurements of the ambient and racing noise were captured which show that the racing event does impact the ambient noise. The measurements also show that the overall level of the ambient noise may not be raised significantly if viewed on an hourly average basis, but are clearly audible and do change the tonal content of the ambient noise during a racing event. Additional measurements on October 18, 2010 (non race day) also show that the racing events impact the ambient noise levels. The racing events on October 18, 2010 were not observed by an acoustician but were noted by the residents at location 3.

The conditional use permit states that activities at Pacific Raceways on quiet days cannot “add to the ambient noise level” at the surrounding residential properties. Our measurements show that racing events on race days and non race do impact the ambient noise level at the surrounding residential property by increasing the ambient level and changing the tonal content relative to the ambient noise.

Background

The acoustic terminology used in the report is defined below. Additional information on acoustical descriptors is provided in Appendix A.

Ambient Noise Level

For this report, ambient is defined as the noise levels present at the Pacific Raceways property lines when there are no racing events or noise from activities occurring at Pacific Raceways. The ambient noise level includes normal everyday activities in the surrounding neighborhoods but would exclude atypical events such as road construction, emergency vehicles, and noise sources not normally experienced by the community.

Perceived Loudness

Loudness is the subjective response to the amplitude of sound. It is judgment of intensity of sound by a human being. It is not linearly related to either sound pressure (Pa), Sound Pressure Level (dB) or sound power level. The general guidelines for subjective response to changes in loudness as related to sound pressure level are shown in Table 1 below.

Table 1: Subjective Response to Changes in Sound Pressure Level (dB)

Change in Sound Pressure Level (dB)	Change in apparent loudness ¹
1	Imperceptible (except of tones)
3	Just Barely perceptible
5	Clearly Noticeable
10	About Twice (or half) as Loud
20	About 4 times (or 1/4) as loud

Noise Source Addition

Given two noise sources with the same sound pressure level (say 60 dBA) present at the same location will result in a sound pressure level of 63 dBA. Two sources that close to the same level will only increase the resulting sound pressure level slightly. Say one source is 55 dBA and the other is 60 dBA the resulting sound pressure level is 61 dBA. For two sources that are greater than 5 dB apart, the source with the lower sound pressure level will only slightly affect the overall noise level. While the source with the lower sound pressure level does not raise the overall noise level it does not mean that sound is inaudible. As shown above, the combination of sources is not a linear relationship – the sound pressure level in dB cannot be determined by simply adding the two dB levels.

Noise sources that are much lower 10 dB can still be audible to humans even though there is no practical measurable increase in noise.

Leq

¹ (O.L. Angevine, "Individual Differences in the Annoyance of Noise" *Sound and Vibration*, November 1975)

The L_{eq} noise descriptor is the Equivalent Noise Level, which is the dBA level of a constant sound, which has the same acoustical energy as the time-varying sound over the same period of time. The L_{eq} is described by the Environmental Protection Agency as the "equivalent sound level is a single value of sound level for any desired duration, which includes all of the time-varying sound energy in the measurement period". Therefore, a source that produces a constant sound level of 60 dBA for a ten minute duration, and then produces a constant sound level of 70 dBA for ten minutes would produce an L_{eq} of 67 dBA (the logarithmic average of 60 and 70) for the entire 20-minute duration. Note that the level in the L_{eq} calculation is closer to the higher sound level because the higher level has more *energy*.

1/3 Octave Band Spectrum

The 1/3 octave band spectrum represents the tonal components that makes up the overall noise level observed. Where the L_{eq} is a measure of the equivalent energy and does not provide any information about the tonal content of the sound, the 1/3 octave band spectrum shows the relative amplitude of the tonal components of the sound observed. The spectrum of a sound can be used to identify a source by its shape (relative amplitude of the tonal components)

Time History

The time history (for the purposed of this report) is the L_{eq} level over a 30 second interval. Calculating the L_{eq} over a 30 second interval captures the variation in amplitude of the noise which can be used to identify events and trends present in the sound level over time.

Applicable Codes

Pacific Raceways is located in King County Washington. The noise generated by the facility is governed by the King County Noise Code and the conditional use permit issued in 1984, see attached. The maximum permissible noise levels defined in the King County Noise Code (Chapter 12.88) are shown in Table 2 below.

Table 2: King County Noise Code Maximum Allowable Noise Levels

Source Property	Receiving Property (dBA)			
	Rural	Residential	Commercial	Industrial
Rural	49	52	55	57
Residential	52	55	57	65
Commercial	55	57	60	65
Industrial	57	60	65	70

The above maximum allowable noise levels in Table 1 shall be reduced or increased by the sum of the following:

A. Between 10 PM and 7 AM during weekdays and between 10 PM and 9 AM on weekends, the levels established by the King County Code 12.88.020 are reduced by 10 dB where the receiving property is within a rural or residential district of King County. The following sounds are exempt from this subsection:

1. Sound created by existing stationary equipment used in the conveyance of water by a utility; and
2. Sound created by electrical substations

B. For any source of sound that is periodic, that has a pure tone component or that is impulsive and is not measured with an impulse sound level meter, the levels established by this chapter shall be reduced by 5 dB.

C. For any source of sound that is short in duration, the levels established by this chapter are increased by:

1. 5 dB for a total of 15 minutes in any one hour period
2. 10 dB for a total of 5 minutes in any one hour period
3. 15 dB for a total of 1.5 minutes in any one hour period

The Pacific Raceways facility is zoned industrial and the area surrounding the facility is zoned residential.

Sound originating from motor vehicle racing events at existing authorized facilities is exempt under Washington Administrative Rules (WAC 173-60-040). However, the conditional use permit granted to Pacific Raceways by King County requires Mondays, Tuesdays and the one weekend day per month from May through September to be quiet days. With quiet days defined by the county Zoning Adjuster²as:

“Pacific Raceways is to be closed to all race testing and racing on quiet days. No scheduled events and no noise from Pacific Raceways that would impact the neighborhood”. Impacting the neighborhood was defined as “adding to the ambient sound levels”.

“Race testing is not meant to exclude police and emergency vehicle testing and training, or other non-race related testing functions that are quiet, non-impacting.”

The definitions and clarification in the DDES letters do not provide a definition of or a metric to determine how “adding to ambient sound levels” could be quantified.

Measurements

The noise levels around the Pacific Raceways facility were measured at four locations from Saturday September 25 through Monday October 12, 2010. The four measurement locations were selected by the DDES are shown in Figure 1 below. The measurement locations selected by the DDES are as follows:

- The corner of 304th Street and 132nd Avenue
- The intersection at 308th Street and 148th Avenue
- Lundberg residence (15032 Auburn Black Diamond Road)
- Washington National Golf Course

² Letters from Irv Berteig, Zoning Adjuster King County DDES dated February 19, 1992.

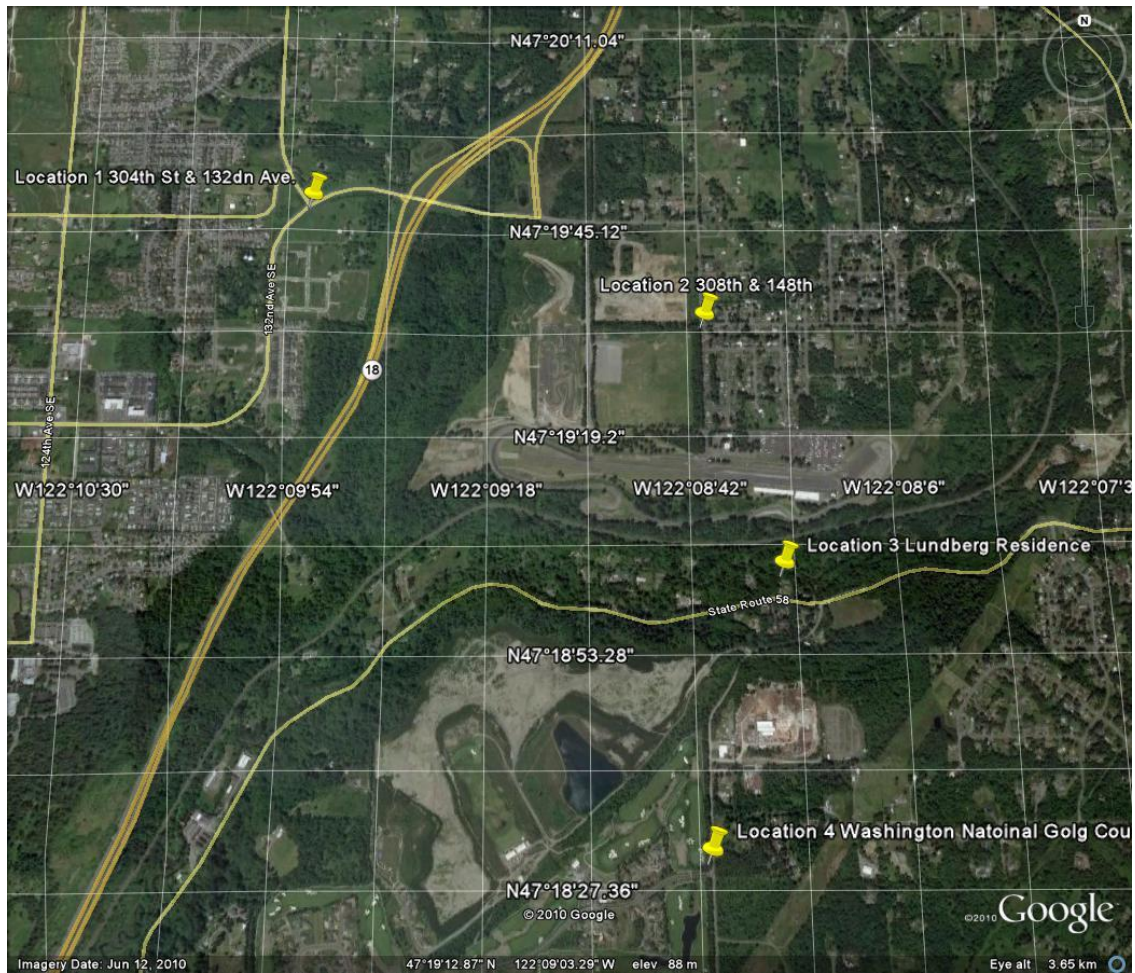


Figure 1: Measurement Locations

Measurement location 1 was approximately 100 feet north and east of the corner of 304th Street and 132nd Avenue, see Figure 2 & 3. Location 2 was approximately 75 feet due west of the intersection of 308th Street and 148th Avenue in the wooded section between the fields to the north and south; see Figure 4 & 5. The Lundbreg residence (location 3) is located at 15032 Auburn Black Diamond Road. The sound level meter was positioned in the front yard of the Lundbreg residence, approximately 200 feet from Auburn Black Diamond Road, see Figure 6 below. At location 4, the sound level meter was positioned next to the fence along the east property line of the golf course approximately 50 feet from 148th Street SW and about 100 feet north of the entrance to the golf course, See Figure 7 below.

All of the equipment used in the measurements was within its current laboratory calibration and was field calibrated prior to the measurement with a handheld calibrator. The equipment used for this project is shown in Table 3 below.

Table 3: Equipment List

Measurement Location	Sound Levels Meter	Serial numbers (SLM/Mic)
304 th Street and 132 nd Avenue	Larson Davis 820	1633 / 104678
308 th Street and 148 th avenue	Larson Davis 820	1277 / 2164
Lundbreg Residence	Larson Davis 831	1384 / 104313
Washington National Golf Course	Larson Davis 820	1646 / 105267
Handheld Calibrator	Larson Davis	1036

All acoustical data presented in this report uses “A-weighted” sound level descriptors, which are frequency weighted to account for the human ear’s perception of noise. At each measurement location the hourly interval L_{eq} and 30 second interval L_{eq} were measured over a multi-day period. At location 3, 1/3 octave band spectrums were also captured every 30 seconds over the multi-day period. The measured hourly and 30 second L_{eq} values for all the measurement locations are shown in Figures 8-19.

In addition to the hourly and 30 second L_{eq} , short term (15 minutes) 1/3 octave band spectrum measurements were acquired at each of the measurement locations. The short term spectrum measurements are used to gain a sense of the spectral content of the noise at each measurement location. The 15 minute period is the minimum statistically meaningful time period. At location 3 on September 25th, the ambient noise spectrum and the spectrum of the racing activity was captured. The 1/3 octave band spectral measurements are shown in Figures 20 & 21.

The measurement at each location included a weekend, a Monday and a Tuesday. Monday and Tuesday have been defined as quiet days (no racing) under the Pacific Raceways conditional use permit. Due to equipment availability the noise levels were not measured at the same time at all four locations.

Observations were made at each location on Saturday September 25th and at other times throughout the measurement period, to experience the types of noise at each location and identify any other sources that may be present in the measured data. The observations on Saturday September 25, 2010 were made from 7:00 AM until 2:00 PM.

Analysis

The hourly L_{eq} measurements at all of the measurement locations show characteristics typical of urban environments: relatively constant noise levels during daytime hours with the noise level gradually receding late at night to a low level between 12:00 and 5:00 AM then gradually increasing to the daytime level around 7:00 AM.

All of the locations experienced short duration events which resulted in the hourly L_{eq} values being considerably higher than the background noise. A typical example is shown Figures 10 & 11 where the hourly L_{eq} values are higher than typical, and the time history shows two short duration events which increased the hourly L_{eq} . While we were not present to identify all of these events, from past experience these short term events in urban areas are typically the result of normal activities. Typical events that can generate noise levels like those observed in the measurements are:

- Waste management service trucks
- Emergency Vehicles

- Car horns
- Construction activities
- Loud car and motor cycle exhaust on nearby streets
- Fireworks
- Trains

Based on our observation at the measurement locations, the random peaks in the hourly L_{eq} data are from these types of sources and not racing activities at Pacific Raceways.

The short term measurements and observations show that the daytime ambient noise at locations 1, 3 and 4 are dominated by the vehicle traffic noise on the nearby streets; see Figure 20. At location 2 the ambient level is much lower due to a much lower traffic volume and lower speed vehicle traffic. Observations at each location did not reveal any unusual types of noise sources at the measurement locations. There is an active rail line along the south Pacific Raceways property line which approximately parallels Auburn Black Diamond Road. We did not observe any trains passing the site but assume the train noise would be audible at location 3 and possibly at other locations. There are no grade crossings anywhere near the measurement locations so the horn noise would not be present in the measurements. We have assumed that trains did pass the site during our measurements but did not see any indication that the train noise is appreciably above the ambient noise level.

We observed noise from a racing event on September 25th (race day) at Location 3 & 4. After driving back to locations 1 & 2 from location 4 around 11:30 AM, the racing event noise was not observed at location 1 & 2. After waiting for several hours, we assumed that the event had concluded. It is possible the racing noise observed was not audible at location 1, but unlikely to be inaudible at location 2 which is adjacent to the Pacific Raceways facility.

The measurements and observations at location 3 (Lundbreg residence) on September 25th (race day) and October 8 -12th show that racing events are audible and do increase the noise levels (see Figure 21) at the surrounding property, thereby “impacting” the surrounding residential properties under the definition of impacting provided by DDES. While the overall hourly L_{eq} values are not being raised significantly for the racing events, the time histories and 1/3 octave band measurements do show that racing events impact the ambient noise levels, see Figures 22 & 23. We did not observe the racing event on Monday October 12th (non race) but the residents at location 3 reported a racing event starting around 12:30 PM. The time history for Monday the 12th shows a clear shift in the minimum noise level and the 1/3 octave band spectrum from the 12th has a similar shape as the spectrums captured on September 25th for which we did observe a racing event. The differences in the spectrum shapes could be due to different types of vehicles operating at different speeds. It is unknown to us as to what types of vehicles were operating on September 25th and October 12th.

Other racing events may generate higher noise levels than those we experienced. To properly assess the “impact” of all of the various types of racing events occurring at Pacific Raceways would require further measurements and observations of the noise.

A summary of the results of our observations and analysis of the measurements for each location is provided below:

Location 1 – The corner of 304th Street and 132nd Avenue

- Measurement period: September 25 – October 1, 2010
- At this location the ambient level is dominated by the vehicle traffic noise from 304th Street and 132nd Avenue.
- The measured hourly L_{eq} noise levels at this location show characteristics typical of urban noise – relatively constant during the daytime with significant reduction in the noise levels late at night when vehicle traffic volume is lower. The noise levels at this location do not show a reduction in noise levels on the weekends, indicating the volume of traffic on 304th Street and 132nd Avenue is constant throughout the week, see Figure 8.
- The racing noise on Saturday September 25th was not audible at this location.

Location 2 - The intersection at 308th Street and 148th Avenue

- Measurement period: September 25 – October 5, 2010 (with a several hour gap occurring on September 28, 2010)
- The hourly L_{eq} noise levels for September 25th & 26th shows 5 -10 dB higher levels than rest of the of the measurement period. There was an event at Pacific Raceways on Saturday September 25th which could be the source for part of the raised levels for that day. On Sunday the 26th there is a several hour period in which the noise levels increased by approximately 10 dB, which could be due to Pacific Raceways or the off road vehicle trail just south of the measurement location. There was no off road vehicle activity observed on Saturday September 25th.
- The hourly L_{eq} values for location 2 show 3-5 dB lower noise levels on Saturday and Sunday October 2nd & 3rd, 2010 which is indicative of low traffic volumes on the weekend and no racing activity at Pacific Raceways.
- There is an off road vehicle trail off 148th Avenue just south 308th Street which shows evidence of current use. this maybe the source of the increased noise levels at location 2 on Sunday September 26th, 2010.

Location 3- Lundberg Residence

- Measurement period – October 8 -12, 2010
- The ambient noise is dominated by the vehicle traffic on Auburn Black Diamond road located just south of the measurement location.
- The racing event on Saturday September 25th was clearly audible at this location
- Short term measurements on Saturday Septembers 25th show that the racing activities at Pacific Raceways do increase the noise levels at this location by about 5-6 dB, see Figure 21
- The hourly L_{eq} values for this location show increased levels on Saturday October 8th. It was raining with moderate wind that day which will increase the measured noise levels. Other activities at the Lundbreg residence also contributed to the noise levels (the lawn was mowed on Monday afternoon October 11th).
- The Lundbreg's reported racing activities on Monday October 12. The measured hourly L_{eq} Values do not show increased levels on Monday as compared to the other days measured. But the time history and 1/3 octave band spectrums show that racing events do impact the ambient nose levels at location 3.

Location 4 – Washington National Golf Course

- Measurement period: October 1 – 5, 2010
- The ambient noise level is dominated by the vehicle traffic on 148th Street SW
- The hourly L_{eq} level at this location shows a reduction in the noise levels over the weekend indicating less vehicle traffic.
- The racing event on Saturday September 25, 2010 was barely audible at this location.

Conclusions

The measurement from location 3 (Lundbreg residence) shows that racing events do impact the ambient noise level on quiet days at that location. Further investigation will be required to confirm whether or not racing events impact the ambient noise levels at other locations around the Pacific Raceways. We were not able to observe racing events at all of the other measurement locations or measure the 1/3 octave band spectrums to confirm that similar features in the time history data from the other locations was due to racing events. We would expect a similar impact from racing events at location 2 because it is approximately the same distance from the race track as location 3.

To confirm whether or not racing events impact the ambient noise levels at other location would require additional measurements with someone on site to observe the noise and capture the appropriate data. Coordination with Pacific Raceways to identify the type of racing event and duration is essential to eliminate any uncertainty in the types of noise sources that may generate increases in the ambient noise levels.

Just because an activity from Pacific Raceways is audible at the neighboring property line, does not automatically imply that it has increased the ambient noise level. To determine if a particular noise source will increase the ambient noise level requires measurement of the noise source relative the ambient noise levels and observations of the activities at Pacific Raceways to confirm the location and type of the source.

The noise levels presented in this report do not indicate the maximum noise levels that may be generated by the Pacific Raceways facility at any given time. The data shown in this report represent the noise levels present during the measurement period only and do not represent the noise levels that may be experienced at other times. To our knowledge there were no drag racing events during the measurement period which may generate higher noise levels.



Figure 2: Location 1 - 304th Street and 132nd Avenue



Figure 3: Location 1 - 304th Street and 132nd Avenue



Figure 4: Location 2 - 308th Street and 148th Avenue



Figure 5: Location 2 - 308th Street and 148th Avenue



Figure 6: Location 3 - Lundbreg Residence



Figure 7: Location 4 - Washington National Golf Course

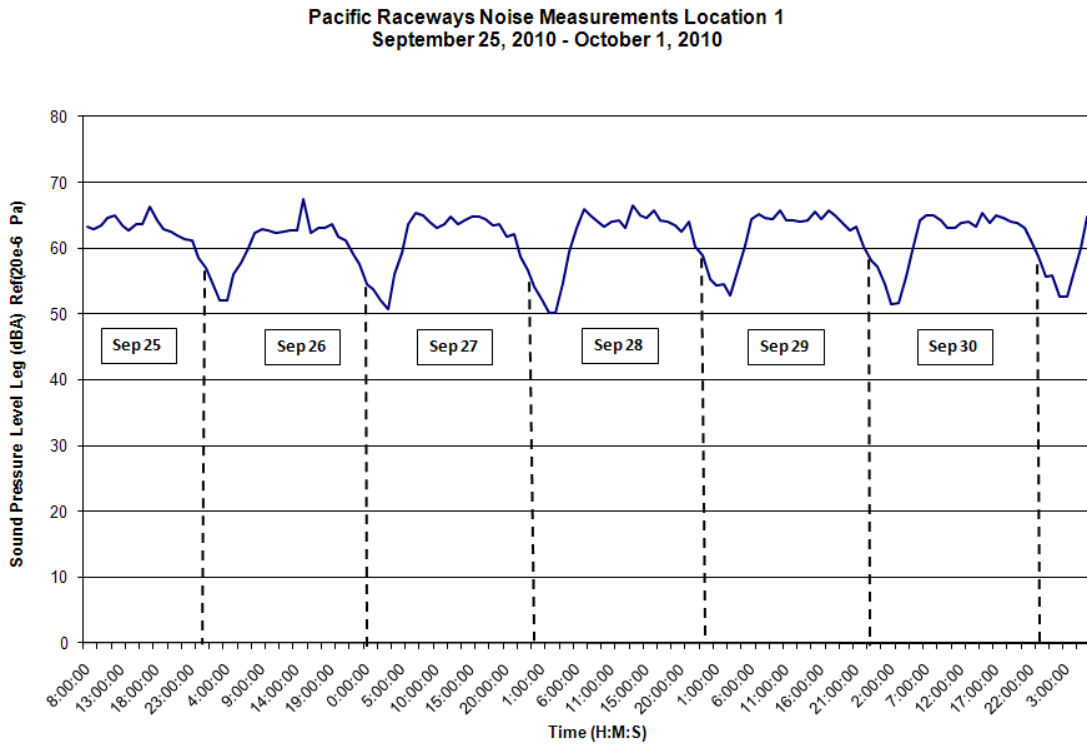


Figure 8: Location 1 Hourly L_{eq} September 25 – October 1, 2010

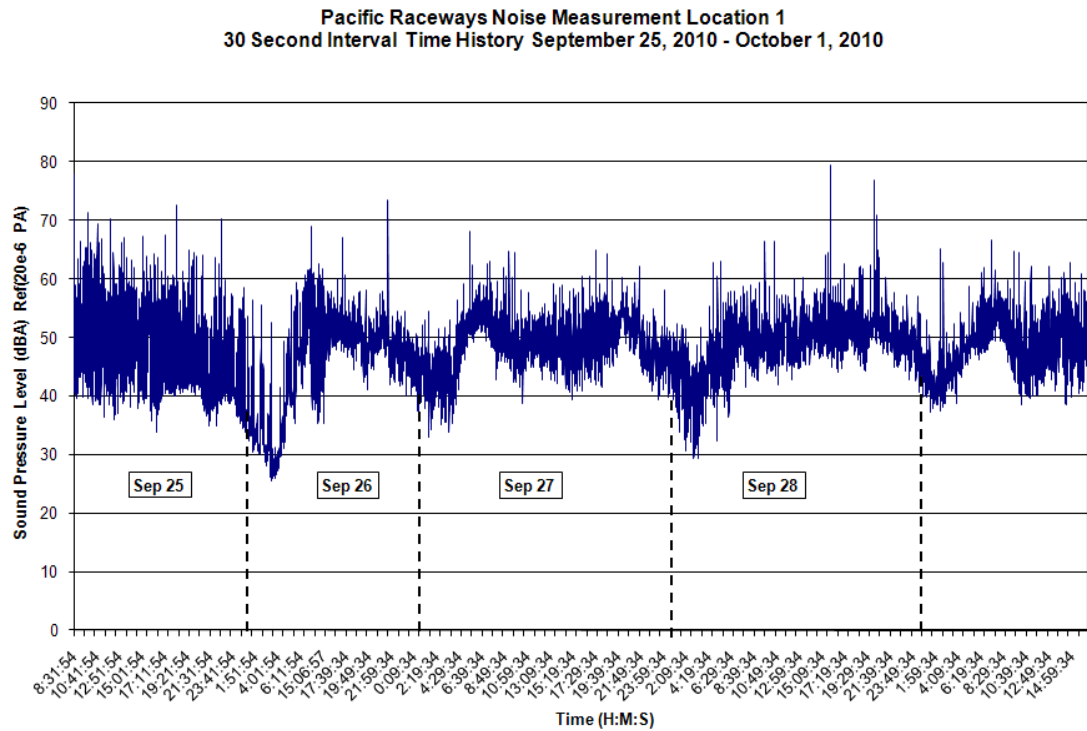


Figure 9: Location 1 Time History September 25, 2010 – October 1, 2010

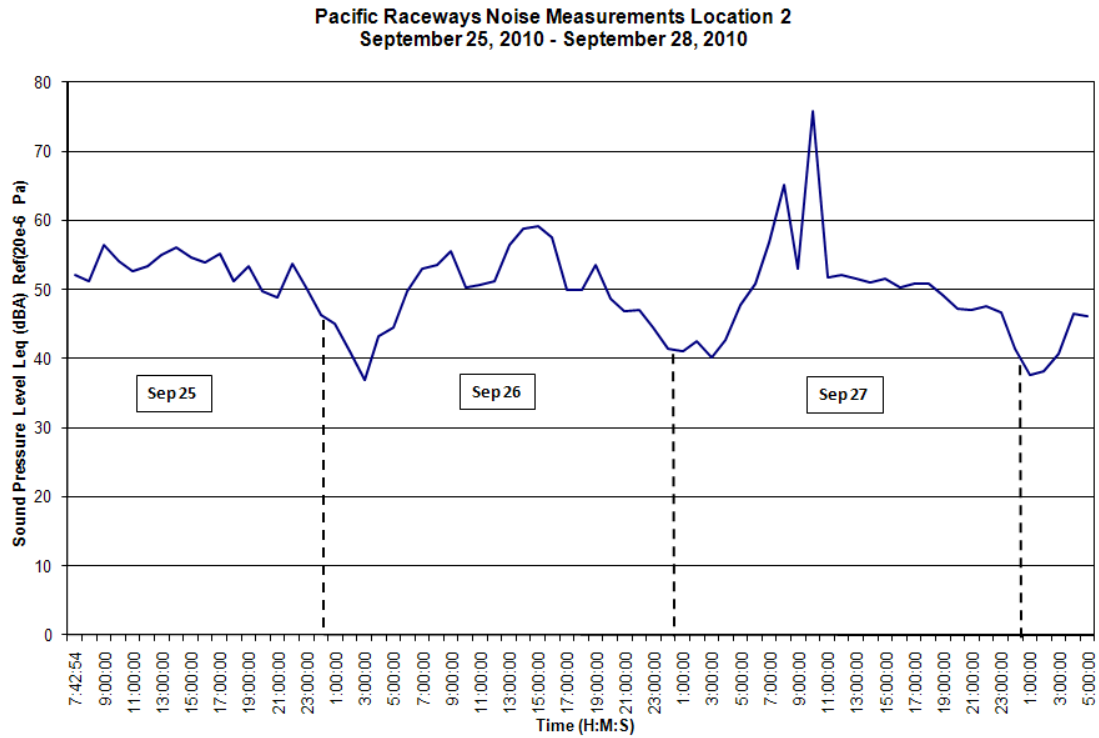


Figure 10: Location 2 Hourly L_{eq} September 25 – September 28, 2010

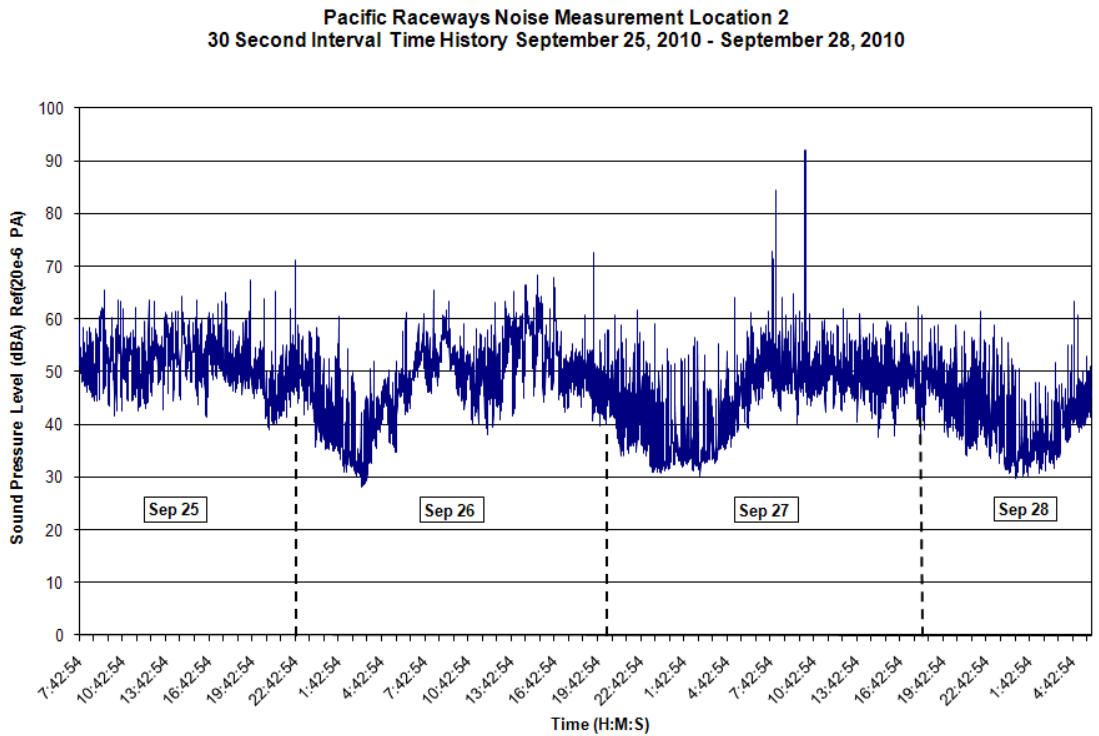


Figure 11: Location 2 Time History September 25, 2010 – September 28, 2010

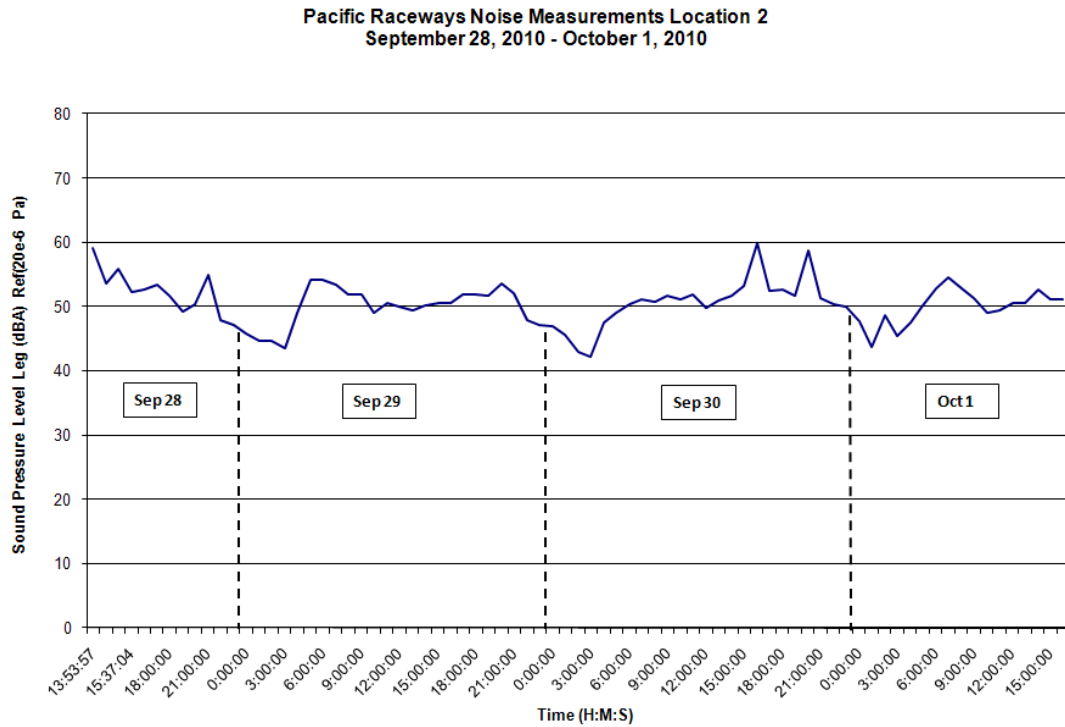


Figure 12: Location 2 Hourly L_{eq} September 28 - October 1, 2010

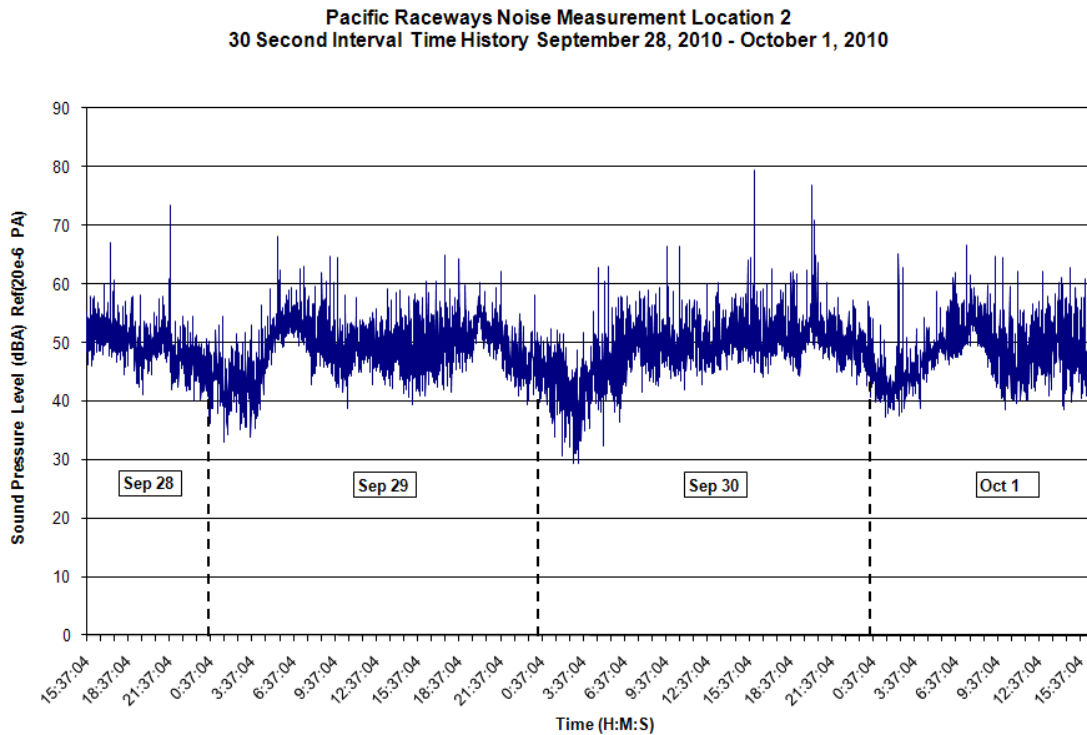


Figure 13: Location 2 Time History September 28, 2010 - October 1, 2010

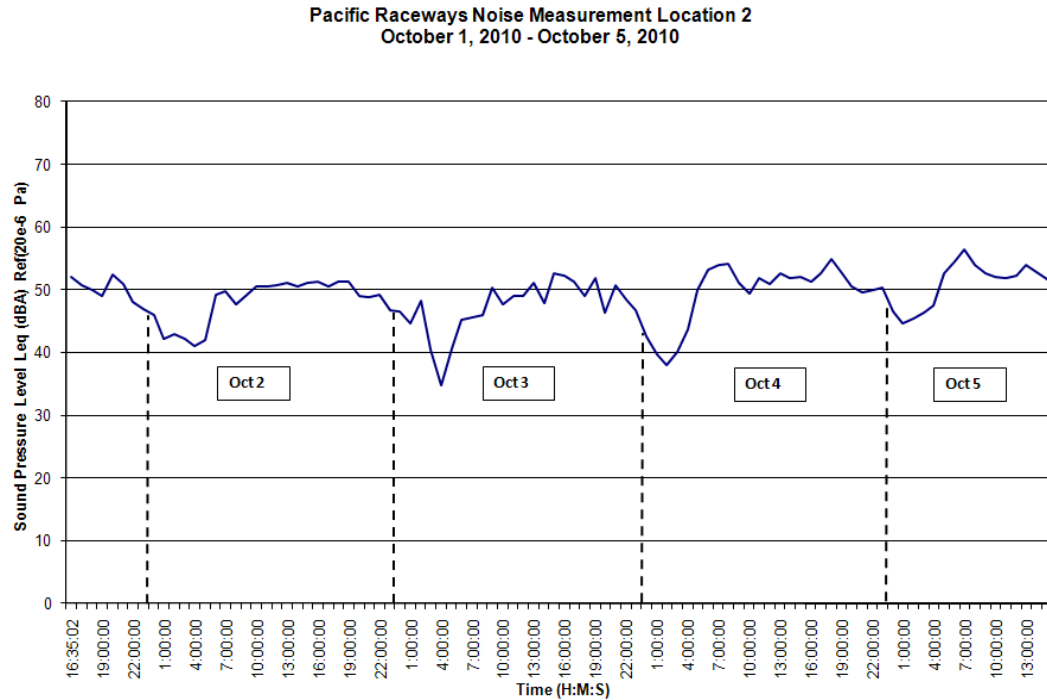


Figure 14: Location 2 Hourly L_{eq} October 1, 2010 – October 5, 2010

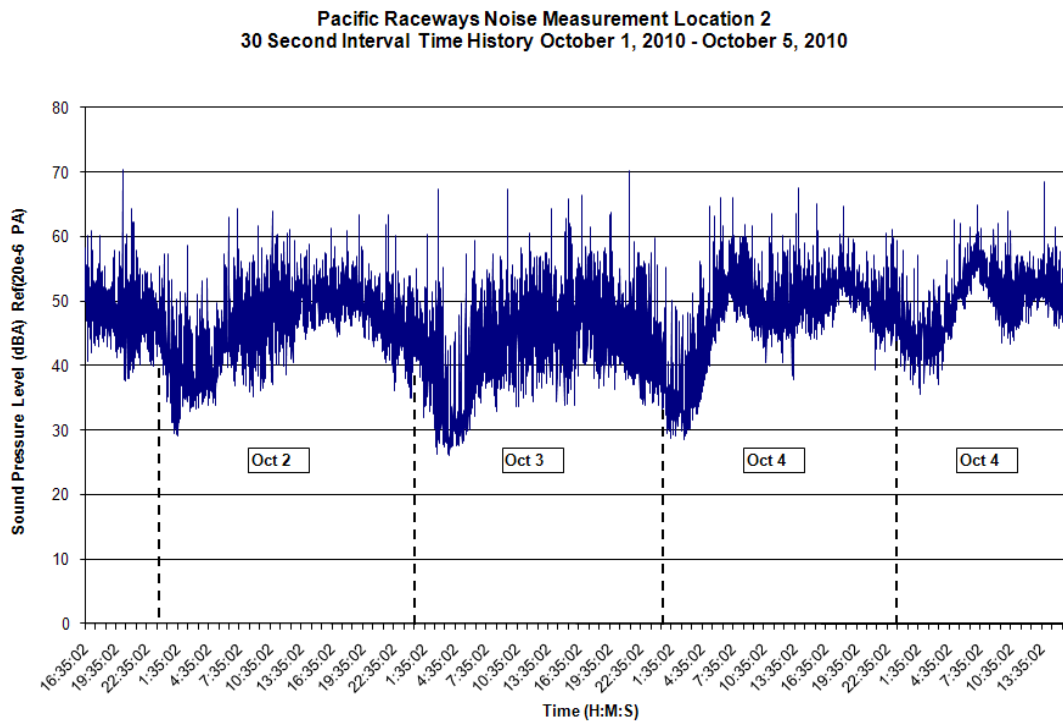


Figure 2: Location 2 Time History October 1, 2010 – October 5, 2010

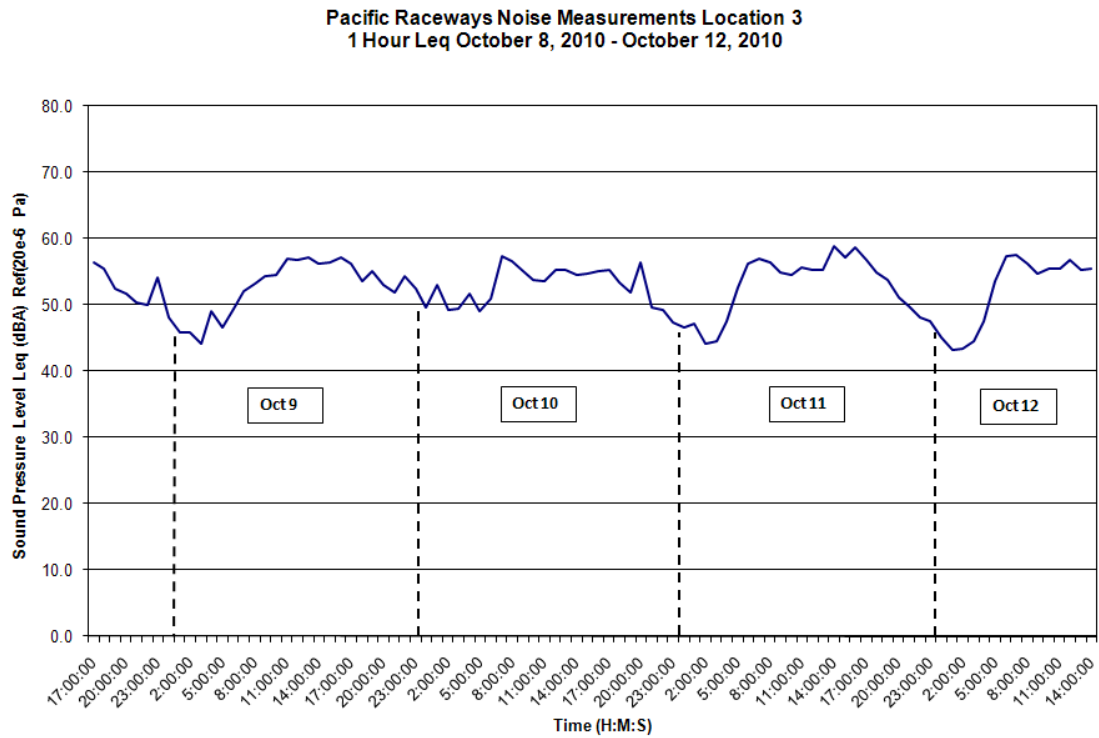


Figure 16: Location 3 Hourly Leq October 8, 2010 - October 12, 2010

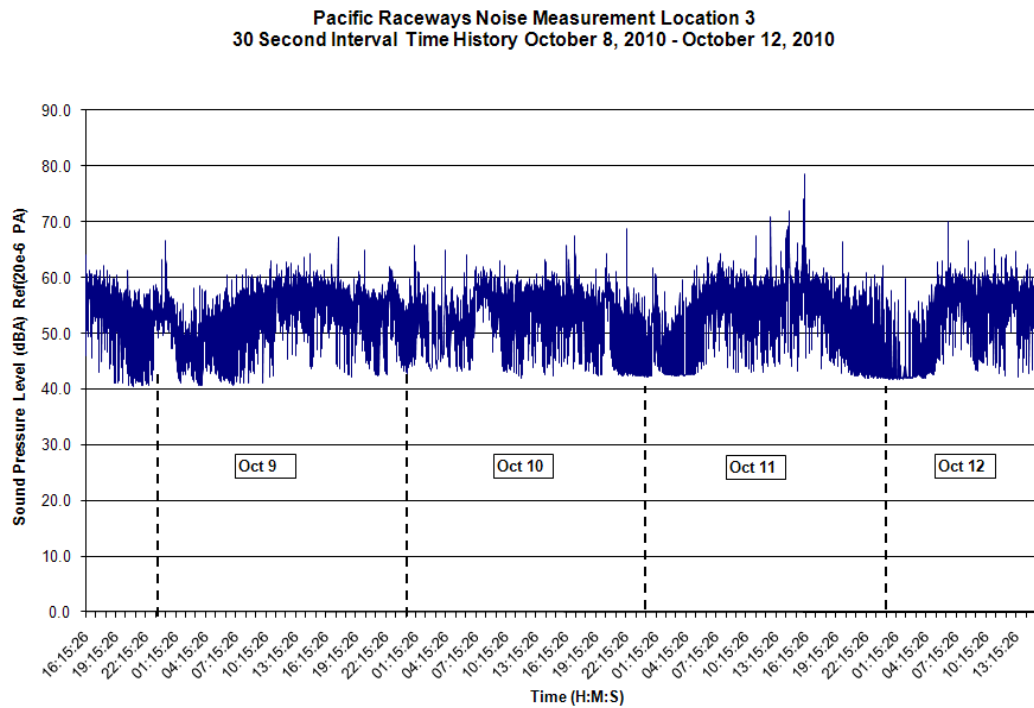


Figure 17: Location 3 Time History October 8, 2010 - October 12, 2010

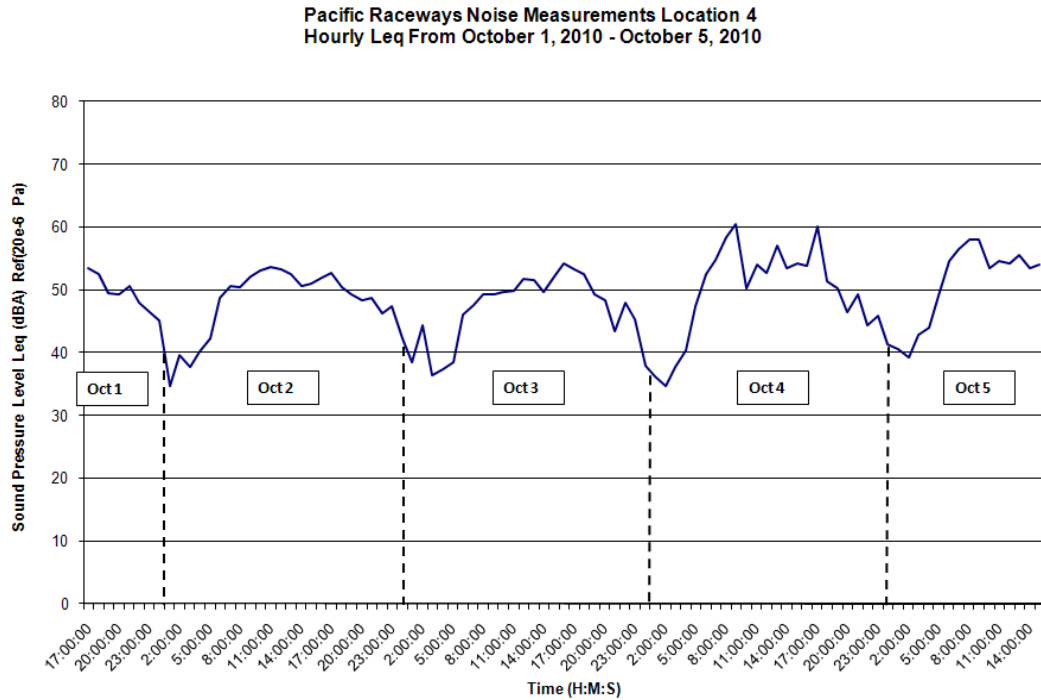


Figure 18: Location 4 Hourly L_{eq} October 1, 2010 - October 5, 2010

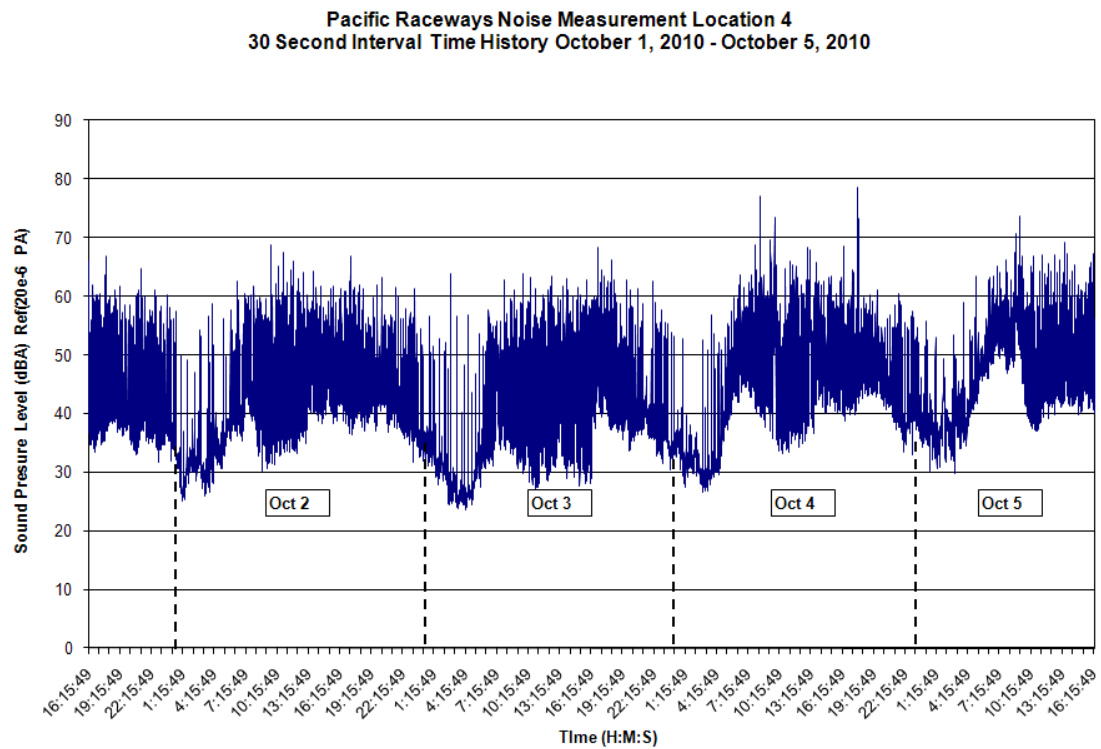


Figure 19: Location 4 Time History October 1, 2010 - October 5, 2010

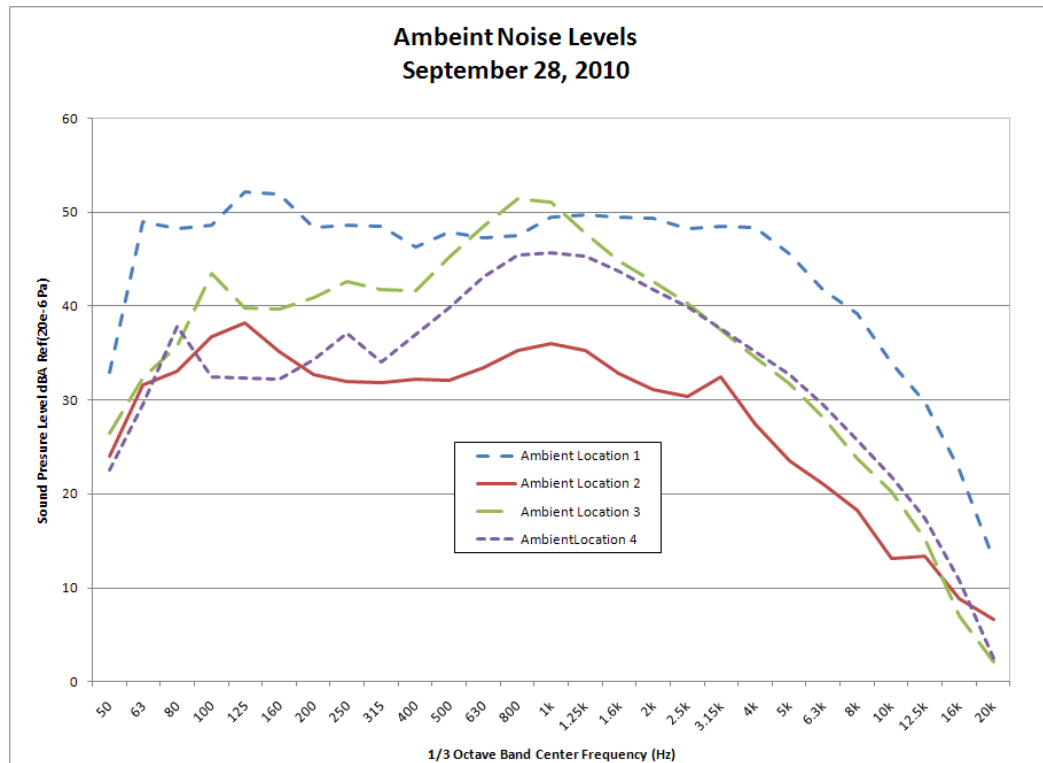


Figure 20: 15 Minute L_{eq} Ambient at all Locations

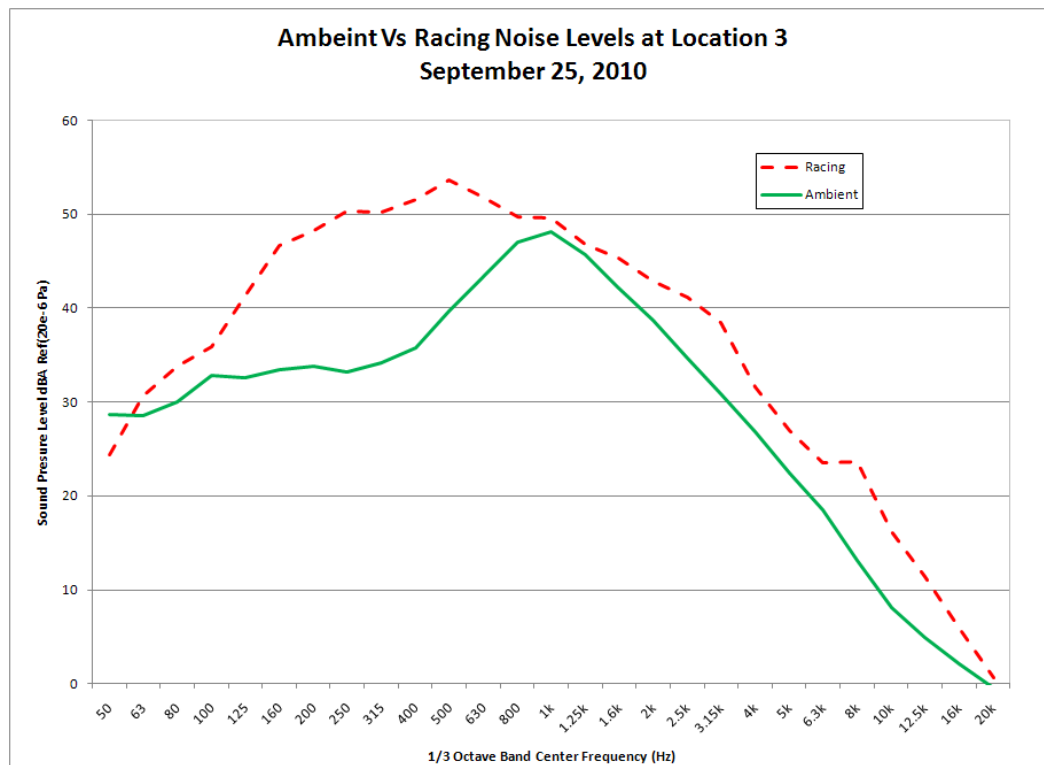


Figure 21: Location 3 Ambient Vs Racing September 25, 2010

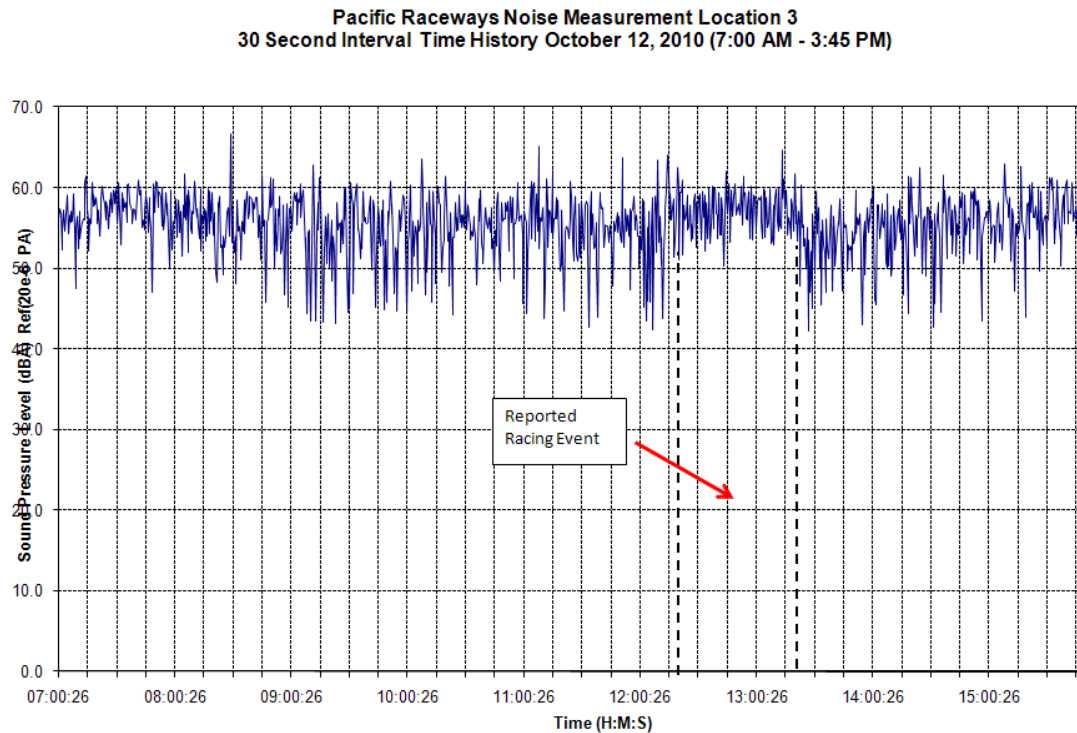


Figure 22: Location 3 Time History October 12, 2010

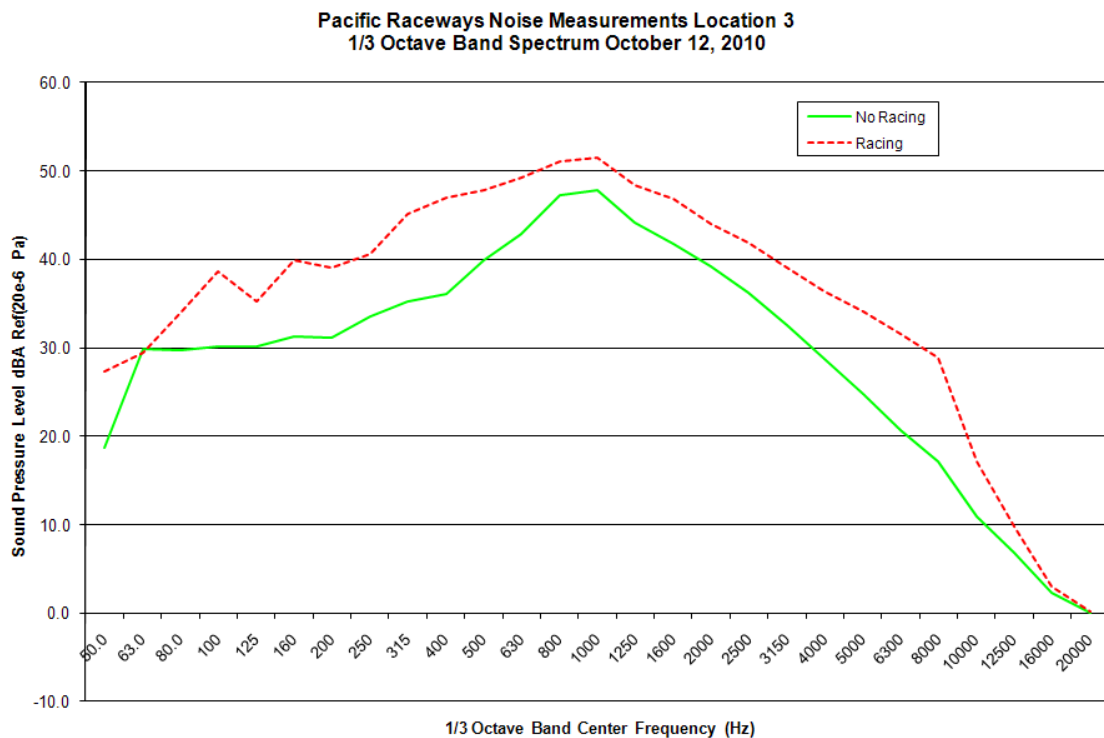


Figure 23: Location 3 Racing Vs Ambient October 12, 2010

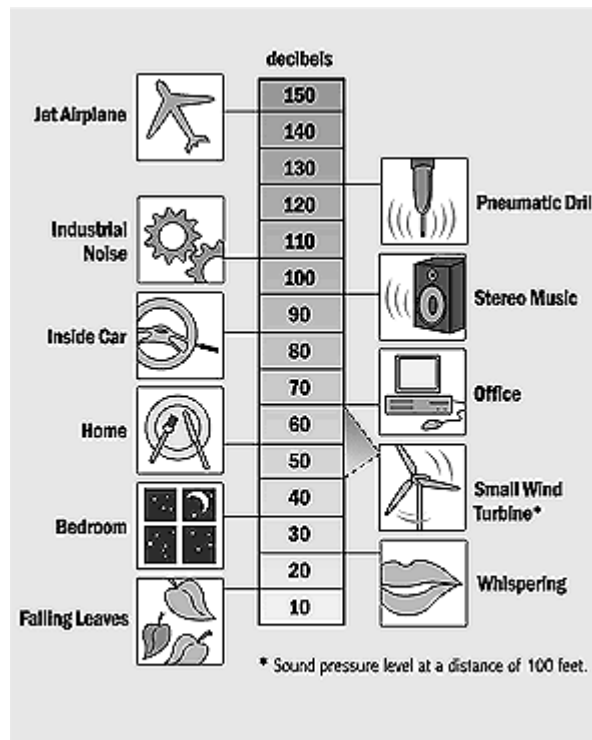
Appendix A – Environmental Noise Descriptors

Environmental noise typically refers to the total acoustic environment as measured or heard by humans. This acoustic environment is made up of background noise caused by distant traffic, airplanes, etc., and higher levels of noise dominated by nearby sources such as car pass-bys, airplane fly-overs, or close construction activity. The most commonly used measure of sound is the sound pressure level (SPL), which represents the magnitude of the sound pressure in the air.

The human ear responds differently to sounds at different frequencies (pitch). This is demonstrated by the fact that we hear higher pitched sounds easier than lower ones of the same magnitude. To compensate for the different "loudness" as perceived by humans at different pitches, a standard weighting curve is applied to measured levels. This weighting curve represents the sensitivity of the human ear, and is labeled "A" weighting. The units of magnitude of the sound are recorded as dBA, or "A"- weighted decibels, which is a logarithmic scale.

Because the decibel scale is logarithmic, individual dB ratings for different noise sources cannot be added directly to give the dB rating of the combination of these sources. Two noise sources producing equal dB ratings at a given location will produce a composite noise that is 3 dB greater than the individual levels. Similarly, the loudness of sounds does not vary arithmetically. The ear has some difficulty detecting the difference in loudness between sounds that have a difference of 3 dB. A difference of 5 dB, however, is easily perceptible, and a 10-dB difference is perceived as twice as loud.

The following table presents examples of common noise levels:



The L_{eq} noise descriptor is the Equivalent Noise Level, which is the dBA level of a constant sound, which has the same acoustical energy as the time-varying sound over the same period of time. The L_{eq} is described by the Environmental Protection Agency as the "equivalent sound level is a single value of sound level for any desired duration, which includes all of the time-varying sound energy in the measurement period". Therefore, a source that produces a constant sound level of 60 dBA for a ten-minute duration, and then produces a constant sound level of 70 dBA for ten minutes would produce an L_{eq} of 67 dBA (the logarithmic average of 60 and 70) for the entire 20-minute duration. Note that the level in the L_{eq} calculation is closer to the higher sound level because the higher level has more *energy*.

The L_{max} noise descriptor is the maximum instantaneous noise level within the duration of the measurement.

RULES AND PROCEDURES
Seattle International Raceways (SIR)
Conditional Use Permit A-71-0-81

April 30, 1984

The following rules and procedures are organized to follow the list of Permit Conditions resulting from the Zoning & Subdivision Examiner's February 26, 1982 decision. The first numbers and letters of the following paragraphs correspond to the Examiner's numbered Permit Conditions, and the short titles represent the Condition topic. The Examiner's 1982 decision and the Zoning Adjustor's subsequent January 25, 1983 decision listing Reinstatement Conditions are attached as Attachments A and B, respectively.

HOURS OF OPERATION:

The daily schedule is summarized below, subject to the Rules and Procedures:

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
9am-5:30pm Closed						
9am-5:30pm Closed	Closed	Closed	9am-5:30pm	9am-5:30pm	9am-5:30pm	9am-5:30pm
9am-5:30pm Closed						
9am-5:30pm Closed	Closed	Closed	9-10:00 9am-9pm	9am-5:30pm	9-11 9am-9pm	9-11 9am-9pm

(See Attachment A, Item No. 1 a b and c, and Item No 6)

1. Testing and Racing Operation.

a. Closed Mondays and Tuesdays.

b. Quiet Weekend Days.

(1) The 1984 Quiet Weekend Days have been listed as:

May:	Sunday	May 13, 1984
June:	Sunday	June 17, 1984
July:	Sunday	July 1, 1984
August:	Saturday	August 25, 1984
September:	Saturday	September 29, 1984

(2) SIR shall notify BALD prior to May 1st each year for the next season quiet weekend days. Each year's schedule shall be posted on the entrance sign so both neighbors and track users can be aware of the scheduled quiet weekend days.

GENERAL PROVISIONS:

2. The land within the boundaries of the Conditional Use Permit are not to be sold without BALD approval.

3. The Conditional Use Permit is binding on current and future owners or operators.

TRAFFIC RELATED CONDITIONS:

4. Ingress/egress improvements needed:

a. Emergency lane.

(1) The emergency lane improvements proposed by SIR are acceptable on a trial basis. The emergency lane shall be striped and traffic cones used to protect its availability during both entering and exiting periods. In addition, SIR parking attendants shall assure compliance.

(2) If the King County Police find that the integrity of the emergency lane is not maintained, they may require the cones be replaced by pipe and cable.

(3) The emergency lane shall be kept clear at all times to allow access to the Savela property for the extent of the Savela easement (see Exhibit 5B, A 71-0-84) which appears to be in common with the SIR access road for a distance of about 650 feet.

(4) SIR shall provide suitable written authorization to King County Police to enforce violations on the private road.

b. Parking/Exiting Plan.

(1) Spectator parking shall not be allowed in parking areas "D", "E", and "F" (see SIR letter eliminating those areas for parking).

(2) The parking lot exiting program is approved. After the close of an evening event SIR parking attendants shall clear and secure each parking lot.

(3) The emergency lane shall not be used in exiting.

(4) All exiting traffic for major events shall be directed north on SR 18. No traffic shall be allowed to turn left (southbound) or cross to 144th Ave SE.

(5) SIR shall advertise that the preferred entrance will be from the south (northbound traffic) on SR 18. Use of 144th Ave SE will be prohibited, and left turns from SR 18 (southbound traffic) may be prohibited for major events. The State Patrol will enforce this traffic flow on SR 18.

✓ c. King County Police and State Patrol Notification.

(1) Proper notification has been given for 1984.

(2) SIR shall contract with WSDOT for State Patrol traffic control assistance for major events during each season until final SR 18 improvements are completed. The criteria established by KCC 6.08.090 for contracts with King County Police shall be met.

(3) Evidence of such completed contract shall be submitted to BALD prior to May 15, 1984.

d. Intersection Improvements.

✓ (1) The intersection design proposed by SIR to meet the Zoning Adjustor's condition is not acceptable to WSDOT and the State Patrol.

The agencies prefer an intersection design which will provide two northbound lanes extended directly across SE 296th onto SR 18. All exiting will be northbound-only for with the following advantages:

- ✓
- (a) Traffic safety for both SIR patrons and SR 18 drivers will be enhanced;
 - (b) Dispersal time can be reduced substantially;
 - (c) All traffic will enter directly onto the freeway and major arterial system, rather than residential streets.

✓ Additional studies are needed before WSDOT will approve the use of left turn lanes on SR 18. While left turn lanes may be helpful to handling certain lesser events at SIR, they may add hazards to other high-volume events. In any event such channelization could be developed only with extensive lighting improvements; the cost itself warrants more study. In the interim the WSP can provide special traffic patrol assistance to assist in exiting the larger events.]

(2) Manual executable warning signs are needed on SR 18 north and south of the intersection because of impaired sight distances in both directions. The signs can have battery powered lights initially. The signs will be activated as needed by the State Patrol to caution motorists travelling SR 18 of upcoming congestion.

✓ (3) SIR shall contract with WSDOT for the installation of the warning lights, some local intersection improvements, and contract for WSP traffic patrol assistance.

✓ (4) The existing shoulder improvements are not structurally sufficient to serve an extended period. Shoulder development should be at a standard comparable to regular through-lane construction. The northbound shoulder should extend

✓ to tie into the existing "slow lane" in order to provide enough acceleration lane distance to accommodate moderate to heavy SIR exiting volumes.

✓ (5) SIR shall prepare revised intersection plans to WSDOT specifications to accomplish the northbound lane improvements. The plans shall be submitted to the Building and Land Development division by June 15, 1984 for coordination with WSDOT.

✓ (6) Reinstatement Condition 5 called for intersection improvements during the first racing season. Since the WSDOT wants to defer construction until 1985, those interim measures such as signing and contracted State Patrol traffic assistance must be accomplished early in the current season.

✓ e. Entrance Road Lighting.

(1) The lighting plan proposed by SIR is approved.

(2) Lighting installation shall be accomplished by midseason; that is, no later than July 1, 1984.

✓ f. Shoulder Widening.

(1) WSDOT has made some shoulder improvements, but not to a structural standard sufficient to carry extended, concentrated volumes. The use of northbound-only exiting and preferred northbound entrancing will concentrate use of shoulders to the east side of SR 18 only. While additional shoulder development on the west side as recommended by SIR's Mitchell/Nelson report may not be necessary, a higher level of improvement to the east side will be required.

(2) The contracting requirements are discussed in 4 d.

5. Ordinance 5415.

(1) The intent of Ordinance 5415 and existing conditional use permit conditions is to preclude the use of 144th Ave SE for SIR traffic.

✓ (2) SIR shall contract with King County Police for traffic control services, including the blocking of 144th Ave SE for major events.

✓ (3) SIR shall review its advertising and discontinue any travel directions which encourage the use of 144th Ave SE.

6. Extended Hours.

✓ (1) The Reinstatement Conditions modify the Permit Conditions by requiring the intersection and lighting improvements, rather than leaving them optional. The Reinstatement Conditions limited the extended hours to Friday and

Saturday nights, rather than Wednesday, Friday and Saturday. After review of the record, including both the Adjustor's and Prosecutor's work files and recollection, it must be concluded that Wednesday was left out by oversight or typographical error. In fairness to SIR, when the intersection and lighting improvements are met, the extended hours should apply to Wednesday as well as Friday and Saturday nights.

(2) Permit Condition 4 d shall be considered met in 1984 by completion of a contract with WSDOT for signing, interim intersection improvements, and State Patrol traffic control assistance. Since the warning signs are in place and the interim intersection improvements are not critical to the efficient movement of traffic with State Patrol assistance, the entering and maintenance of the contract is the determining action. The result in 1984 for the duration of the 1984 racing season will be one additional hour of operation (9:00pm closing extended to 10:00pm) on Wednesday, Friday and Saturday nights.

NOTE: The draft Rules and Procedures included a provision allowing use of a contract and bond to meet a condition otherwise requiring completion of improvements. While such a technique is routinely used for similar conditions in new developments in order to mitigate future impacts, it is not suitable in this case where impacts exist. The primary objective is to mitigate the impacts, and the following condition is modified accordingly.

(3) Permit Condition 4 d shall be considered met in 1985 on an interim basis when certified by WSDOT that there has been sufficient maintenance to shoulders and the intersection to allow continuation of traffic assistance as required in 1984 [as in item (2) above], and that a design and time table for 1985 construction has been completed. This condition requires that traffic impacts continue to be mitigated in a manner allowing orderly completion of physical improvements.

Permit Condition 4 d shall be considered met in 1985 and after by the satisfactory completion of northbound lane improvements. The result in 1985 will be a continuation of the one additional hour (9:00pm closing extended to 10:00pm) on Wednesday, Friday and Saturday nights.

(4) Permit Condition 4 f shall be considered met when certified by WSDOT that suitable shoulder development has been accomplished. The result will be a further extension by one additional hour of operation (10:00pm closing extended to 11:00pm) on Friday and Saturday nights.

7. Access Review Public Hearing.

(1) BALD shall set a public hearing in October 1984.

ALCOHOL CONTROL:

8. Washington State Liquor Control Board License Required.

a. Turnstile System.

(1) The turnstile system is approved as described by King County Police (see Exhibit 107, A-71-0-84).

(2) The purpose of the turnstile system is to assist in the compliance with WSLCB licensing requirements, and cannot be merely a gate allowing free movement to and from the spectator's vehicle. This condition must be read in conjunction with Permit Condition 8 b.

(3) Permit Condition 8 a. requires that all events use the turnstile system. Temporary fencing or alternative parking areas shall be necessary for the Motocross area.

b. SIR shall maintain a roving alcohol check crew to patrol parking lots during major events to assure compliance with the terms of their permit and the Washington State Liquor Control Board license.

c. SIR shall maintain signing along the access road to alert patrons to the alcohol checks and to encourage them to drive responsibly.

(1) Signing shall be accomplished by May 15, 1984.

d. SIR shall review its advertising to assure that it is clear that alcohol cannot be brought in by spectators.

(1) It is incumbent upon SIR to maintain control of this provision in any sub-letting of its facilities to special groups.

(2) Evidence of advertising such as that used for the 1982 Fox Hunt event (see Exhibit 34 of A-71-0-82) shall be considered a violation of the terms of the permit and cause for enforcement action under this Rule.

e. SIR shall comply with the rules of the WSLCB.

NUISANCE REDUCTION:

9. Fencing.

(1) The purpose of the fencing condition is two-fold. It is to prevent trespass by those seeking unauthorized entrance to SIR, and it is to assure the success of the turnstile system. The fencing program proposed by SIR and shown on the Revised Plot Plan is approved, subject to the following changes:

(a) The fencing along the south side of the road connecting to the Motocross track (along the earth berm) is insufficient and shall be replaced with 6' cyclone fencing. This provision can be deferred if pedestrian access to the connecting

✓ road is prevented by adequate fencing of Lot A and a locked gate during track events.

✓ (b) Additional fence control shall be added to secure the south-west end of the track and Motocross track by June 1, 1984. Detailed location shall be as approved by BALD.

✓ (c) Fencing around the perimeter of SIR property at the west end is non-existent. Detailed fencing plan shall be submitted to BALD by June 1, 1984 and installed by July 1, 1984.

✓ (d) No later than May 1, 1985, fencing along the northeast shall be replaced with six foot cyclone fencing.

(2) BALD shall conduct field inspections of the fencing prior to May 1 and July 1 of each year. SIR shall repair deficiencies in a timely manner. NOTE: 1984 inspections shall be prior to June 1 and July 1.

(3) Complaints of trespass shall be reviewed. Continued problems may be cause for BALD to required modified fence locations or standards.

10. Litter Patrol.

(1) SIR has submitted 631-1550 as the litter patrol phone number for 1984.

(2) The litter patrol phone number will remain in effect unless changed by SIR after a 30 day notice.

NOISE:

✓ 11. Jet cars shall not operate after 5:30pm.

(1) SIR has stated that they will comply.

✓ 12. Loudspeaker Control Plan.

✓ (1) The King County Health Department has approved the loudspeaker control plan submitted by SIR.

(2) The loudspeaker system shall be maintain to assure that race sounds are not further amplified and that sound is directed to spectators and prevented from disturbance to outside SIR boundaries. Complaints shall be investigated and system modifications made as necessary.

13. Noise Control Methods.

— SIR has submitted a proposal for future implementation. That proposal has not been reviewed as of the date of the writing of these rules, nor have rules and procedures been prepared for their consideration. These rules will be supplimented in the future.

PLOT PLAN:

15. Plot Plan.

(1) A plot plan was submitted by SIR prior to March 31, 1984. Parties of record were notified and written comments received and reviewed. Specific corrections have been required and are delineated in the rules for Permit Conditions above.

(2) SIR shall prepare a revised plot plan embodying the changes required by the reinstatement action and these rules in order that a clean, corrected Plot Plan be available to administer this permit. The revised Plot Plan shall be submitted by SIR for approval by the Zoning Adjustor.

(3) The plot plan will be used to administer the permit. All improvements and uses shall remain in compliance with the approved plot plan.

(4) The plot plan shall indicate the location, extent and type of activities authorized by this permit and all activities, development and racing shall be conducted in accordance with that plot plan.

(5) The plot plan shall designate camping areas and camping shall be limited to said areas; camping shall only be allowed to race participants.

16. Future Modifications.

(1) An application for an amendment to this conditional use permit is the proper means to consider modifications to either permit conditions or changes in use.

(2) Any public hearing shall be advertised by BALD to clearly define the scope of the consideration.

17. Auxiliary Use.

(1) No auxiliary uses have been requested.

(2) Unauthorized uses such as an existing BMX track in one of the parking areas shall be discontinued. Bicycle racing is allowed, but must be contained within designated track areas.

18. Annual Meeting.

(1) BALD shall schedule the required meeting with notice given to appropriate parties at least 15 days prior to the meeting.

(2) The annual meeting may be combined with a public hearing on SIR if scheduled during October and if provision is

made one the hearing agenda to consider the issues required in this condition.

19. Rules and Procedures.

(1) County, State and community review of SIR's reinstatement request has been completed resulting in the above rules and procedures. The following agencies have participated:

(a) KC Police have approved the alcohol control turnstile system and SIR has made the changes the Police required. SIR has a current contract for traffic patrol assistance.

(b) KC Health has approved SIR's loudspeaker system. KC Health reports that SIR's sanitary facilities are adequate.

(c) Washington State Patrol (WSP) wants to use exclusive northbound exiting from SIR onto SR 18, believing they can clear the traffic in much shorter periods than in the past.

(d) Washington State Department of Transportation (WSDOT) rejected the intersection plan proposed by SIR, but agrees with WSP on exiting and would support the construction of northbound exiting lanes within the SR 18 right-of-way.

(e) KC Public Works traffic engineer concurs with WSDOT and WSP recommendations.

(f) KC Business license officials will coordinate the business license with the issuance of the conditional use permit.

(g) The Washington State Liquor Control Board (WSLCB) will pull SIR's liquor license if the conditional use permit is revoked, according to KC Police.

(2) Future amendments to the Rules and Procedures can be considered after notice to the above agencies, SIR, and community representatives, with a minimum of 15 day comment period.

(3) King County shall establish a complaint system with a phone number distributed to the community residents. The phone shall be manned during all major races. The complaint system shall provide for dispatching of King County Police, King County inspectors or other appropriate personnel to respond to the complaint.

TIME TABLE FOR IMPROVEMENTS:

The SIR Conditional Use Permit shall remain in a "provisional reinstatement" status until the improvements required during the 1984 racing season are completed. Failure by SIR to meet the following schedule shall be cause to remove the provisional reinstatement which is to return the conditional use permit to the revoked status.

Deadline	Action
✓ May 15, 1984	Complete contract with WSDOT for State Patrol traffic assistance ::Rule 4 c (3)
✓ May 15, 1984	Install alcohol check signs and quiet day notices along entrance road ::Rule 1 b and Rule 8 c (1)
✓ May 15, 1984	Complete contract with WSDOT for warning signs and their installation, and some local intersection improvements. ::Rule 4 d (6)
✓ May 15, 1984	Stripe emergency lane and use traffic cones. ::Rule 4 a (1)
✓ June 15, 1984	Submit revised intersection plans to BALD for coordination with WSDOT ::Rule 4 d (7)
✓ June 15, 1984	Submit revised Plot Plan to BALD ::Rule 15 (2)
✓ July 1, 1984	Install entrance road lighting ::Rule 4 e (2)
✓ September 30, 1984	Complete contract with WSDOT for northbound lane development, intersection improvements, and east shoulder upgrades and extension ::Rule 4 d (3) (6) (7) & f (1) (2)

✓ Upon completion of the above items within the stated deadlines, the SIR Conditional Use Permit shall be considered as permanently reinstated.

Approved this 30th day of April, 1984


IRVING BERTEIG
Zoning Adjustor

Issued July 5 1985

Attachments

MODIFIED CONDITIONS
SEATTLE INTERNATIONAL RACEWAYS (SIR)
CONDITIONAL USE PERMIT A-71-0-81

February 26, 1982 appeal decision of the King County Deputy Zoning and Subdivision Examiner:

The decision of the Zoning Adjustor to approve subject to conditions is affirmed with modified conditions.

OPERATING CONDITIONS:

- /1. The hours of tract operation shall be limited to 9:00 a.m. to 5:30 p.m., for both testing and racing with the following exceptions:

a. SIR will be ~~closed~~ to all ~~racing and testing~~ on Monday and Tuesday year-round, provided that these days may be used for racing when a rained out event could not be scheduled for the following weekend, or when a holiday which has a major event associated within it falls on a Monday or Tuesday. ~~When a holiday which has a major event associated within it falls on a Monday or Tuesday, the track shall be open for racing and testing on that day.~~

- b. SIR shall provide a minimum of one quiet weekend day (Saturday or Sunday) per month during the May through September racing season. SIR shall notify Building and Land Development in writing of the five designated quiet days prior to May 1st each year. SIR should notify interested community representatives in the interest of community relations.

c. From May 1st to August 31st the tract operating hours may be extended until 9:00 p.m., on Wednesday, Friday and Saturday; provided that the track operating hours may be further extended upon completion of the traffic improvements specified in Condition 4, and noise remedy specified in Condition 12. The intent of these conditions is to better interrelate the SIR impacts, the size of SIR audiences, the timing of the completion of any evening event, and the carrying capacity of the street system.

- /2. All properties subject to this permit owned by SIR shall not be sold in part without approval of the Building and Land Development Division.
- /3. This permit and the conditions imposed herein authorize this use on this property and shall be binding on any future owners or operators of this facility, as well as the current parties.

TRAFFIC RELATED CONDITIONS:

- /4. A number of street improvements are necessary to increase the carrying capacity of the street system in order to bring the time required for ingress and egress to reasonable durations. SIR shall take the actions and make the improvements as follows prior to the 1982 racing season:

a. SIR shall establish and maintain the east driving lane of the entrance road from Southeast 296th to the main gate as an emergency lane, open and free of parked cars. A high concrete curb, post and cable, or fence shall be installed for the length of the entrance road in order to preserve the emergency road. Final design shall be subject to the approval of the Building and Land Development Division.

b. SIR shall establish and submit to Building and Land Development for approval procedures to empty parking lots as rapidly as possible after major events.

c. SIR shall notify King County Department of Public Safety and the Washington State Patrol at least 30 days prior to major events, or in the case of rescheduled events, at the earliest feasible times. The purpose is to coordinate police manpower for traffic control, including, but not limited to, control at the intersection of SR 18 and Southeast 296th Street. SIR shall comply with KCC 6.08.042. SIR shall provide assistance in traffic control to the extent feasible when requested to do so by King County Department of Public Safety.

The following improvements are necessary to increase the safety and traffic capacity near the SIR entrance.

d. Make intersection improvements to SR 18 and Southeast 296th Street, which will make use of the widened shoulders for bypass and turning lanes as recommended by the MITCHELL and NELSON report, except that direct access between 144th Ave. S.E. and S.E. 296th shall not be allowed.

Intersection improvement plans shall be submitted to the King County Department of Public Works for approval and coordination with the Washington State Department of Transportation.

e. Upgrade lighting along the entrance road in accordance with the MITCHELL and NELSON report.

The following improvements are necessary to increase the traffic capacity of SR 18:

f. Widen the shoulders of SR 18 north and south of the intersection with Southeast 296th, as recommended by the MITCHELL and NELSON report.

5. The provisions of Ordinance No. 5413 shall be applied for events as needed to preclude using those local residential streets for SIR traffic.

6. The hours of operation under Condition 1 shall be extended by one hour on Wednesday, Friday and Saturday nights upon certification by Building and Land Development Division of completion of the road and intersection improvements specified in Conditions No. 4, d and e. The hours of operation shall be further extended by one hour on Friday and Saturday nights upon certification by Building and Land Development Division of completion of the SR 18 improvements specified in Condition No. 4f.

7. After the completion of one full racing season with all of the improvements required by Condition No. 4 in place, the zoning adjustor shall hold a public hearing to determine whether these improvements have been adequate to handle large events. If the improvements have been proven inadequate, the Zoning Adjustor shall require SIR or its successors to develop a second access.

ALCOHOL CONTROL CONDITIONS:

8. Alcoholic beverages shall not be allowed at SIR other than as approved by the Washington State Liquor Control Board.

a. SIR shall conduct an inspection to detect and confiscate alcoholic beverages using a turnstile system. Parking areas shall be separate from the rest of the race site activities, such that no drive-in parking will occur inside the race track and such that race patrons will be separated from their vehicles.

- b. SIR shall maintain a roving alcohol check crew to patrol parking lots during major events to assure compliance with the terms of their permit and the Washington State Liquor Control Board license.
- c. SIR shall maintain signing along the access road to alert patrons to the alcohol checks and to encourage them to drive responsibly.
- d. SIR shall review its advertising to assure that it is clear that alcohol cannot be brought in by spectators.
- e. SIR shall comply with the rules of the Washington State Liquor Control Board.

NUISANCE REDUCTION:

- 9. The SIR property shall be fenced and patrolled in such a way as to prevent trespassing or entrance to SIR from other than designated entrances. Fencing shall be a six foot high, chain-link fence with barbed wire, or its equivalent in effectiveness, subject to approval of Building and Land Development Division. Complaints of trespass shall be investigated and any needed corrective actions to fencing made in a timely manner.
- 10. SIR shall maintain a litter patrol to operate during the day after major events, and provide Building and Land Development with a designated SIR telephone number for residents to use for on-call litter pick up. In the interest of community relations, SIR should also notify community leaders of the designated SIR telephone number.

The litter patrol shall operate on all surrounding streets off the site which are used for access to the site.

NOISE:

- 11. Jet cars shall not be allowed after 5:30 p.m. unless they meet the noise standards established in Condition No. 13. Any modification of this condition may be considered through an application for an amended conditional use permit.
- 12. SIR shall prepare and submit to the King County Health Department and BALD for approval procedures to maintain controlled use of the loud speaker system and continue to improve its design so that race sounds are not further amplified and that sound is directed to spectators and prevented from disturbance from outside SIR boundaries.
- 13. SIR is encouraged to initiate noise control methods, including earth berms, sound barrier walls, or other physical measures as well as mufflers on vehicles. Upon successful implementation of a program that will meet the environmental sound level criteria of the noise ordinance (Chapter 12.88, KCC) without the exemptions for race tracks (KCC 12.94.105), the days and hours of operation may be extended to 9:00 a.m. to 10:00 p.m. on Tuesdays and an additional hour Wednesday through Saturday. Successful implementation shall be as determined by the Health Department Administrator for noise controls. The administrator may require SIR to provide empirical noise studies by a qualified professional engineer.

PLOT PLAN:

- 15. A detailed plot plan at a scale of not less than one inch equals one hundred feet shall be submitted to Building and Land Development Division by March 31, 1982 for approval of the Zoning Adjustor. More detailed drawings of specific improvements may be requested by the Adjustor as he deems necessary. Upon receipt, Building and Land Development shall

notify parties of record and allow 15 days for public review and written comment. The plot plan shall indicate the location and purpose of all roadways and tracks, buildings, parking areas, camping areas, alcohol concession areas, sanitary facilities, emergency roads, fencing, and other uses. No racing shall take place after May 1, 1982, unless the plot plan has been approved by the Zoning Adjustor.

16. Modification of the above conditions or changes in the uses authorized by this conditional use permit shall be accomplished through an application for an amended conditional use permit. Any consideration of an amended conditional use permit shall be limited to the subject of such application and shall not be cause to reconsider other permit issues.
17. No auxiliary use of the race track or facilities beyond motorcycling, bicycle racing, training and motor related events shall be allowed. No rock concerts or other nonracing entertainment shall be allowed prior to or after the times of the actual racing events. There shall be no expansion of events without a proper public hearing by the Building and Land Development Division of King County. SIR shall present to Building and Land Development for approval a list of auxiliary uses and events (e.g. rock concerts and swap meets) and demonstrate such events are to "fill in" time between races and are not in fact the primary events.
18. King County shall meet annually, by October 15 of each year, with representatives of SIR, the community, the health department, the police and other appropriate parties to review compliance with this permit and any problems of operation. Such a meeting will determine whether the conditions are met and, if they are not being met, will establish procedures to bring about compliance.
19. The King County Division of Building and Land Development, the King County Department of Health and the County Department of Public Safety shall prepare rules, regulations and operating procedures as necessary to implement the conditions and intent of this conditional use permit. Such rules, regulations and procedures shall be submitted to BALD prior to the 1982 racing season.

ACTION: The Conditional Use Permit issued to Seattle International Raceways (SIR) A-71-0 dated June 27, 1972, and as modified by Final Action of the Zoning and Subdivision Examiner as A-71-0-81, dated February 26, 1982, is hereby revoked:

Provided, that SIR may request reinstatement through the satisfactory filing of the following:

1. Plot Plan described in Condition 15.
2. Parking Exiting Plan described in Condition 4. b.
3. Emergency Lane Improvement Plan described in Condition 4.a.
4. Interim Alcohol Turnstile Control Alternative and Plan to meet Condition 8.a., subject to the review and approval of the Department of Public Safety.

NOTE: SIR may elect as an alternative to installing a turnstile system as described in Condition 8.a. to discontinue all beer concessions, maintain present alcohol screening programs, and prohibit alcohol consumption completely.

5. Intersection Improvement Plan described in Condition 4.d., and Lighting Improvement Plan described in Condition 4.e.
The intersection and lighting improvements are no longer

ATTACHMENT B

options, and shall be accomplished during the 1983 Racing Season. Once accomplished, SIR may extend its hours of operation to 10:00 p.m., on Friday and Saturday nights.

6. Racing Season Schedule - including:

a. Notice to Public Safety described in Condition 4.c.

b. Identification of Quiet Weekend Days described in Condition 1. b. In addition, SIR shall post the annual schedule of Quiet Weekend Days in a conspicuous location on the Entrance Sign.

c. SIR may designate an additional "Quiet Weekend Day" for each racing event scheduled to 11:00 p.m. IRV

7. Litter Patrol Number described in Condition 10.

8. Loudspeaker Control Plan described in Condition 12.


9. Submit a bond in the amount of \$100,000 to defray expenses incurred by King County as the result of the operation of SIR, or to restore any public property damaged as the result of the operation of SIR. Failure to comply with the operating conditions may result in bond forfeiture, and will result in revocation of this Conditional Use Permit.

10. The above plans shall be reviewed by the Division of Building and Land Development, Department of Health, Department of Public Safety, and Department of Public Works. Their approval shall be in the form of rules, regulations and operating conditions described in Condition 19. The current permit is revoked until reinstatement is approved.

- a. Final Approval shall be by Action of the Zoning Adjustor.
- b. Any reinstated permit shall include the conditions of the February 26, 1982 Permit.

- c. A public hearing shall be held October 11, 1983, to review the 1983 Racing Season, and the effectiveness of the operating conditions.

ORDERED this 25th day of January, 1983.


IRVING BERSTEIG
ZONING ADJUSTOR

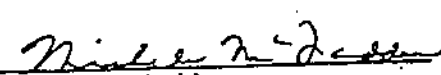
TRANSMITTED this 26th day of January, 1983, to the attached List of Parties of Record.

10. Some clarification of the conditions for reinstatement is needed:
- a) All references to conditions made in the conditions for reinstatement refer to the conditions of approval as stated in the February 26, 1982 Examiner's report.
 - b) Condition 10b should read, "Any reinstated permit shall include the conditions of the February 26, 1982 permit, with the exception of Conditions 4d and e, which are modified by the reinstatement conditions cited above."
 - c) An additional condition should be added to read:
"SIX shall submit a proposal to the Building and Land Development Division indicating the location and types of camping it wishes to permit on the site, including who should be allowed to camp. This proposal shall be considered by the Zoning Adjustor at the October 11, 1983 hearing on this conditional use permit. Until a decision is rendered by the Zoning Adjustor in this regard, camping shall be limited to actual participants in the races, and spectators shall not be allowed to camp overnight."

DECISION:

Deny the appeal and sustain the decision of the Zoning Adjustor, with the modifications cited in Conclusion 10 above.

ORDERED this 27th day of April, 1983.


Michele McFadden
DEPUTY ZONING AND SUBDIVISION
EXAMINER



King County Executive
Gandy Revelle

Department of Planning and Community Development
Holly Miller, Director

May 1, 1984

COPY

TO: ALL PARTIES OF RECORD

RE: SEATTLE INTERNATIONAL RACEWAYS (SIR)
FILE A-71-0-84

Attached is a copy of my Reinstatement Order and Rules and Procedures for the Seattle International Raceways (SIR) Revoked Conditional Use Permit.

The Order and Rules follow an extensive review by related State and County Agencies, local community representatives, and SIR. I appreciate the assistance from all, and especially the patience and understanding displayed throughout this most complex and controversial case.

Yours truly,


IRVING BERTEIG
Zoning Adjustor

IB:jf

Attachments

DIVISION OF BUILDING AND LAND DEVELOPMENT
Department of Planning & Community Development
450 King County Administration Building
Seattle, Washington 98104

ZONING ADJUSTOR

April 30, 1984

SUBJECT: Reinstatement Report and Decision
Seattle International Raceways (SIR)
Conditional Use Permit A-71-0-81

Seattle International Raceways (SIR) has requested reinstatement of its revoked conditional use permit, and has submitted the documents and \$100,000 bond required by the Reinstatement Conditions established by the Zoning Adjustor's January 25, 1983 decision (upheld by the Zoning & Subdivision Examiner and Superior Court on appeal). The proposal has been reviewed and detailed findings and conclusions are included in the accompanying Reinstatement Order. In addition, Rules and Procedures required by one of the February 26, 1982 Permit Conditions are attached. Drafts dated March 30, 1984 of both the Reinstatement Order and the Rules and Procedures were reviewed at a public meeting held April 9, 1984. A vertical bar in the left margin identifies text that has been modified since the March 30, 1984 drafts.

In examining the reinstatement request, it is appropriate to review some of the underlying principles:

1. The action resulting from the 1981 public hearing initiated by the Zoning Adjustor under the provisions of Chapter 21.66 KCC is a set of Permit Conditions as modified by the Zoning & Subdivision Examiner on appeal dated February 26, 1982.

2. SIR openly violated those Permit Conditions, and a second public hearing was initiated by the Zoning Adjustor. The Adjustor's January 25, 1983 decision was to revoke the conditional use permit. That decision was upheld by the Zoning & Subdivision Examiner on April 27, 1983, and also upheld by Superior Court. The January 25, 1983 Adjustor decision also provided a means for SIR to request reinstatement, and the action set forth Reinstatement Conditions, modified in part by the Examiner.

3. The local community throughout both public hearings testified that their objective was SIR compliance with the permit conditions - not SIR closure.

4. The Zoning Adjustor is guided by criteria adopted by ordinance, the basic intent of which is to set conditions that will assure compatibility of uses.

5. SIR continues to provide a broad public benefit. It has a direct benefit to public agencies by providing a driving training course. SIR provides a wide range of racing, recreational interests, and a significant economic base for many businesses which either depend on or are stimulated by the existence of SIR.

These many organizations and businesses are relying on SIR to meet its obligations necessary to keep the track operating. SIR has an obligation to its many supporters, organizations, and businesses to manage its affairs responsibly and not continue to jeopardize their interests.

6. The public benefits provided by SIR do not absolve SIR of responsibilities to be a good neighbor in the community and to meet the terms of its Conditional Use Permit.

Clearly, the issues are complex and controversial. The following actions are taken under the premise that SIR's permit has been revoked and will not be permanently reinstated unless and until SIR attains complete compliance with all applicable conditions. Because some of the conditions imposed on SIR allow SIR a period of time to complete physical improvements, any reinstatement at this time must be provisional until SIR is able to meet the improvement conditions. If SIR earns permanent reinstatement, it must continue to meet the Permit Conditions as clarified by the Rules and Regulations, and be subject to the normal Zoning Code enforcement provisions.

REINSTATEMENT ORDER
Seattle International Raceways (SIR)
Conditional Use Permit A-71-0-81

SIR has applied for reinstatement under the provisions of the Zoning Adjustor's January 25, 1983 decision. That Adjustor decision which revoked the SIR conditional use permit also provided a set of 'reinstatement conditions' allowing SIR an opportunity to redeem its revoked permit. On January 26, 1984 SIR submitted the required set of plan documents and the \$100,000 bond, thus meeting the reinstatement application requirements. Accordingly, the Building and Land Development Division has reviewed the submitted documents, and comments have been solicited from other County departments, the Washington State Department of Transportation (WSDOT) and the Washington State Patrol (WSP). Community representatives and other interested parties were notified and comments invited.

A 'temporary reinstatement' was granted on February 1, 1984 to allow time for detailed review (Exhibit 14). Community representatives and appropriate agencies were given copies of the Plot Plan to review. On February 22, 1984 a notice was sent to

all parties of record advising them of the request, describing where to view the Plot Plan and file, and invited comments by mid-March. A second letter was sent March 13, 1984 to persons responding, acknowledging receipt of their comments, and describing the current status.

A meeting was conducted on March 26, 1984, with representatives from WSDOT, State Patrol, and King County Departments of Health, Public Works, and Public Safety. The formulation of rules and procedures in accordance with the conditional use permit requirement was the objective and result of the meeting.

FINDINGS AND CONCLUSIONS:

The SIR reinstatement request has been evaluated and is discussed below following the outline of the 11 Reinstatement Conditions set down in the Adjustor's January 25th decision (see Attachment B):

1. Plot Plan.

(1) SIR submitted a Plot Plan (dated Jan 25, 1984) as required by formal request dated January 26, 1984 (Exhibit 8). An early review revealed problems with parking areas beyond the alcohol turnstile control facilities. SIR subsequently revised the Plot Plan (dated Feb 10, 1984), and additionally modified the plot plan to eliminate parking areas "D", "E", and "F" (letter dated March 7, 1984). SIR also notified BALD (letter dated Feb 17, 1984) that fence repairs have been made to areas identified in a recent BALD field inspection.

(2) The plot plan contains some errors as identified by staff and community representatives. The errors dealt with the location or description of uses and features such as fencing.

(3) The plot plan is deficient in fencing, particularly in securing the Motocross track area from the remainder of the racetrack. Both the mapping errors and the deficient fencing are dealt with in the Rules and Procedures.

(4) SIR has proposed an enhanced Motocross track improvement program. Its design appears to embody the principles of spectator control, safe viewing, and improved sanitary facilities. At the same time SIR has characterized the facility as introducing new racing forms and additional audiences. Community representatives have challenged this proposal as being outside the scope of the existing permit.

The parking area improvements, alcohol turnstile fencing, and sanitary facilities for the revised Motocross area are not outside the scope of the existing permit - in fact, they are required.

The revised track and grandstand facilities are significant changes and are not authorized. A conditional use permit amendment which would be subject to public hearing and review as provided by Permit Condition 16 (see Attachment A) is necessary.

2. Parking/Exiting Plan.

(1) The parking/exiting plan as revised is acceptable, and is approved with some additional fencing and other changes as set forth in the rules and procedures.

3. Emergency Lane Improvement Plan.

(1) The original emergency lane condition called for a "high concrete curb, post and cable, or fence" with the final design subject to approval by BALD. There can be no reduction in the purpose of the emergency lane. It is necessary for life safety reasons. Additionally, it has been revealed that one resident's sole means of access legally shares a portion of the SIR access road. Therefore, the integrity of the emergency lane must be assured.

(2) The method used to preserve the emergency lane is a technical matter. Three methods were suggested in Permit Condition 4 a with final design approval by BALD. The approved design is described in detail in the Rules and Procedure.

4. Interim Alcohol Turnstile Control Alternative and Plan.

(1) The Department of Public Safety has approved the current plan with minor modifications as detailed in the Rules and Procedures.

5. Intersection Improvement Plan and Lighting Improvement Plan.

(1) SIR submitted the plans substantially as required by the Adjustor's condition. Upon WSDOT and State Patrol review, however, major design conflicts were identified.

(2) King County policy precludes the use of 144th Ave SE and other local streets as a means of access; whereas current (adopted in 1957) WSDOT plans for SR 18 would funnel SIR traffic directly onto those streets. Such a conflict is too fundamental to allow to pass. The conflict must be resolved in favor of County policy, or SIR must not be allowed to continue operation.

(3) WSDOT recognizes the vintage of its plan and, in fact, has a feasibility study programmed to start this year. The 1984-85 feasibility study will examine land uses, traffic impacts and demands, and facility needs, as well as implementation issues. Actual funding and implementation is not known, although major project design alone is both expensive and time consuming.

(4) In the interim WSDOT and the State Patrol recommend local improvements and certain procedural changes in handling SIR traffic. In view of interchange improvements at Kent-Kangely and SR 18, and after testing their ideas at the end of the 1983 racing season, the agencies recommend moving all exiting traffic for major events onto SR 18 as northbound-only. In this manner they estimate exiting times can be reduced dramatically, and above all safety of the motoring public enhanced.

(5) Design and contracting requirements for the intersection are addressed in the Rules and Procedures.

(6) The entrance road lighting plan is satisfactory.

6. Racing Season Schedule.

(1) Notice to Public Safety and State Patrol have been accomplished.

(2) Quiet Weekend Days have been identified. Posting must occur prior to May 1 in accordance with Condition 1.b.

(3) Additional Quiet Weekend Days have not been identified in exchange for extra racing hours.

7. Litter Patrol Number.

(1) SIR has identified their litter patrol phone number as 631-1550.

8. Loudspeaker Control Plan.

(1) SIR has submitted a loudspeaker control plan and Health Department approval has been given. The Rules and Procedures describe the monitoring system.

9. Bond.

(1) SIR submitted a bond in the amount of \$100,000. The bond has an expiration date, and it must be renewed in a timely manner. SIR will not be allowed to operate without a valid bond.

10. Rules and Procedure.

(1) Rules and procedures have been prepared and follow in this document.

(2) The rules and procedures assure compliance with the February 26, 1982 Permit Conditions; a timetable for completion of improvements is included.

(3) A public hearing will be scheduled for October.

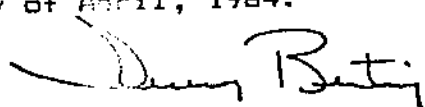
SIR Reinstatement, A-71-0-81, April 30, 1984


11. SIR has not requested camping by other than race participants. Camping by other than racing participants is not allowed.

REINSTATEMENT ORDER:

The Seattle International Raceways (SIR) Conditional Use Permit A-71-0-81 is provisionally reinstated for the 1984 racing season. Reinstatement shall be fully granted automatically by completion of the required improvements in accordance with the calendar of deadlines set out in the Rules and Procedures. This Conditional Use Permit shall be revoked if SIR fails to meet the improvement schedule. This Conditional Use Permit is subject to the Permit Conditions as set forth in the Zoning & Subdivision Examiner's February 26, 1982 decision, the Reinstatement Conditions set forth in the Zoning Adjustor's January 25, 1983 decision, and the accompanying Rules and Procedures.

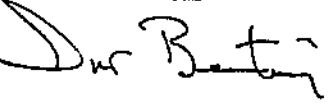
Ordered this 30th day of April, 1984.


IRVING BERTEIG
Zoning Adjustor


King County
Building & Land Development Division
Parks, Planning and Resources Department
3600 - 136th Place Southeast
Bellevue, Washington 98006-1400

February 19, 1992

TO: Jerry Marbett, Manager, Land Use Controls

FR: Irv Berteig, Zoning Adjustor 

RE: Clarification of "Quiet Days" Seattle International Raceways Conditional Use Permit. File A-71-0-81

As a result of questions raised at the October 14, 1991 Annual Public Meeting on the Seattle International Raceways (SIR), Greg Borba requested clarification of the SIR CUP condition regarding "quiet days." The condition states:

OPERATING CONDITIONS:

1. The hours of track operation shall be limited to 9:00 a.m. to 5:30 p.m., for both testing and racing with the following exceptions:

b. SIR shall provide a minimum of one quiet weekend day (Saturday or Sunday) per month during the May through September racing season. SIR shall notify Building and Land Development in writing of the five designated quiet days prior to May 1st each year. SIR should notify interested community representatives in the interest of community relations.


The condition is clear with regards to designating the days. A request by SIR in 1986 to allow changing the selected quiet days after May 1st was denied with the resulting rule:

Quiet weekend days shall not be changed after May 1st.

A practice of allowing two quiet days in one month in exchange for none in another month is in conflict with the condition and should be corrected. SIR has total choice of those dates within certain rules, and must live by their choices.

Clarification is appropriate regarding the activities allowed during quiet days. The quiet day requirement was originally one of the negotiated compromises that came out of the mediation activities during the late '70s. The intent was to provide one day each month on a Saturday or Sunday when the community would be free from impact by SIR. That would mean no scheduled events and especially no noise that would impact the neighborhood. **If sound from SIR would add to the ambient sound level, it would be impacting and therefore not permitted.** Note that this is more restrictive than condition 1.a. which limits activity on Mondays and Tuesdays when certain testing and police and emergency training is allowed so long as it is quiet and non-impacting.

IB:ib


King County
Building & Land Development Division
Parks, Planning and Resources Department
3600 - 136th Place Southeast
Bellevue, Washington 98006-1400

February 19, 1992

Mr. John Clark
15118 S.E. Auburn-Black Diamond Road
Auburn, WA 98002

RE: Request for Revocation and/or Modification of Conditional Use Permit for
Seattle International Raceway (SIR)

Dear Mr. Clark,

Your October 7 and October 21, 1991 letters to Gerald Marbett and Greg Borba were referred to me after they had conducted an investigation and reviewed your allegations with the Prosecuting Attorney's Office. Your petition under Chapter 21.66 KCC is a proper approach, but there must be a reasonable showing of violation of one or more of the grounds listed in KCC 21.66.010. Hence, the investigation and review of the issues you raise:

1. **Noise.** The issue of noise is probably one of the most frustrating in reviewing this conditional use permit since the State Department of Ecology had exempted sounds from motor vehicle racing events:

WAC 173-60-050 Exemptions.

(4) The following shall be exempt from all provisions of WAC 173-60-040:

(g) Sounds originating from motor vehicle racing events at existing authorized facilities.

King County had similarly exempted SIR from its noise ordinance, Chapter 12.86 KCC. Consequently, sound level standards are not applicable.

2. **Aircraft Landing.** Aircraft landing is not a permitted use at SIR. I understand that Mr. Rockstad has stated that SIR does not condone or authorize aircraft landings at SIR. Also, the Federal Aviation Administration (FAA) regulates aircraft landings, and SIR is not an approved landing facility. Complaints, violations and enforcement of aircraft related regulations are best handled by the FAA, and I encourage you to contact them if you wish to pursue your concerns.

3. **Quiet Days.** Greg Borba has also asked me to clarify the "quiet day" issue in response to questions raised at the last community meeting. I will recite the original condition, namely that there be "... a minimum of one quiet weekend day (Saturday or Sunday) per month during the May through September racing season." I denied a request by SIR in 1986 to allow changing the selected quiet days after May 1st (after they had been announced); that action will stand. A practice of allowing two quiet days in one month in exchange for none in another will be corrected. With regard to the activities that are

permitted during quiet days: SIR is to be closed to all race testing and racing on quiet days. "Race testing is not meant to exclude police and emergency vehicle testing and training, or other non-race related testing functions that are **quiet, non-impacting**." The point of clarification that I will make is that any activity on quiet days must be quiet, non-impacting. If it adds to the ambient sound level, it is impacting.

4. Miscellaneous. a. Electronic noise affecting a TV signal was mentioned. More information is needed, but if SIR is generating a signal that is impacting your TV, they will have to make the necessary corrections. b. Building permits are required for most new construction and remodelling. Only the larger buildings (generally those with more than 4,000 square feet of floor area) are subject to the State Environmental Policy Act (SEPA). A threshold determination is then made by the County to decide whether or not an environmental impact statement (EIS) is required. SEPA does not apply to any action initiated under Chapter 21.66 KCC. c. "Loud speakers when leased" was mentioned in one of your letters without explanation. There was an incident several years ago when an organization rented the SIR facilities and set up their own speakers. That matter was corrected; SIR (and any of its users) must comply with a loud-speaker layout/operation plan approved by the Health Department.

5. Annual SIR Public Meeting. I imposed a condition calling for an annual public meeting and the dedication of staff on an on-going basis to improve communications such that problems can be identified and corrected before getting out of hand. It may not be understood in the community that conditional use permits are typically administered through the enforcement program. In other words, attention is not given unless a violation has already occurred. I wanted King County to be pro-active. I believe the program has been successful; of course, it is difficult to identify problems that have been averted. Since the meetings are for communication, and since the Adjustor does not have the authority hold such meetings and "make rules" anyway, the objective is much better served by staff like Greg Borba. Incidentally, minutes of the meeting will be published.

In summary, I am not able to identify probable violations of the criteria listed in KCC 21.66.010 that are within the scope of the SIR CUP. Therefore, I cannot initiate public hearings to consider revocation or modification of the permit.

Sincerely,



Irv Berteig
Zoning Adjustor

IB:ib

cc Gerald Marbett, Land Use Controls Manager
Greg Borba, SIR Permit Administrator